



WEB COPY



W.P.No.10542 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2026

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.10542 of 2026

And

W.M.P.Nos.11424 and 11427 of 2026

1.P.V.Mariappan
2.S.V.Shanmugam

... Petitioners

Vs.

1.The State of Tamilnadu rep. by
The Secretary to Government,
Housing and Urban Development Department,
Secretariat,
Chennai – 600 009.

2.The Tamilnadu Housing Board
Rep. by its Chairman,
CMDA Building,
Near Koyambedu Metro Station,
Chennai – 600 107.

3.The Tamilnadu Housing Board
Rep. by The Executive Engineer
And Administrative Officer,
Erode Housing Unit,
Erode – 638 011.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to
issue a Writ of Certiorarified Mandamus calling for the records relating



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to the impugned notice dated 27.01.2026 issued by the third respondent, quash the same and consequently direct the respondents to hold that the Housing Scheme has fractured in respect of the subject matter house site No.5, measuring 11200 sq.ft., comprised in SF No.94/3C1, Patta No.402 (previously SF No.94/3C), Pudupalayam Agraharam Village, Komarapalayam Taluk, Namakkal District.

For Petitioners : Mr.N.Manoharan
For Respondents : Ms.V.Yamunadevi for R1
Special Government Pleader
Mr.D.Veerasekaran for R2, R3

ORDER

The petitioners have filed this writ petition seeking issuance of Writ of Certiorarified Mandamus calling for the records relating to the notice dated 27.01.2026 issued by the third respondent, quash the same and consequently direct the respondents to hold that the Housing Scheme has fractured in respect of the subject matter house site No.5, measuring 11200 sq.ft., comprised in SF No.94/3C1, Patta No.402 (previously SF No.94/3C), Pudupalayam Agraharam Village, Komarapalayam Taluk, Namakkal District.

2.The learned counsel appearing for the petitioners submitted that the petitioners are the innocent purchasers of the subject



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property and only after issuance of the impugned notice, the petitioners came to know that the Tamil Nadu Housing Board is the owner of the subject property and the same was suppressed by their vendor, thereby, without any notice, the impugned eviction notice was issued by the third respondent.

3.The learned counsel appearing for the respondents 2 and 3 submitted that already a Two Members Committee was appointed for releasing of the lands in terms of the Scheme available to the Tamil Nadu Housing Board and further submitted that if at all the petitioners have any grievance, the petitioners may be granted liberty to approach the Two Members Committee.

4.At this juncture, the learned counsel appearing for the petitioners submitted that liberty may be granted to the petitioners to make representation to the Two Members Committee appointed by the Tamil Nadu Housing Board for releasing of the subject property in terms of the Scheme available to the Tamil Nadu Housing Board in favour of the petitioners and prayed to observe that till the Two Members Committee take a decision on the representation to be made by the petitioners, the impugned notice shall be kept in abeyance.



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5.Considering the limited relief now sought for by the learned counsel appearing for the petitioners, this Court without expressing any opinion on the merits of the case, grant liberty to the petitioners to make representation to the Two Members Committee appointed by the Tamil Nadu Housing Board for releasing of the subject property in terms of the Scheme available to the Tamil Nadu Housing Board in favour of the petitioners. The impugned notice shall be kept in abeyance till the Two Members Committee take a decision on the representation to be made by the petitioners.

6.The writ petition is disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

13.03.2026

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No



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