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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.04.2026

CORAM

THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P.(MD)No.10536 of 2026

K.Sivakumar

.. Petitioner

- Vs. -

1. The Managing Director,
Tamil Nadu Housing Board,
493, Anna Salai,
Nandanam,
Chennai - 600 035.

2. The Executive Engineer and Administrative Officer,
Tirunelveli Housing Board,
Anbu Nagar,
Tirunelveli – 11.

.. Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to execute the sale deed in favour of the petitioner for the actual extent as agreed by the 2nd respondent in their reply notice dated 26.02.2026 and to refund the excess amount collected by the 2nd respondent, with interest at the rate of 12 percent per annum from the date of payment, within a time stipulated by this Court.



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For Petitioner : Mr.J.Devasenar

For Respondents : Mr.S.Velmurugan
Standing Counsel

ORDER

The petitioner who is the successful bidder was allotted the commercial site No.3(Code No. TV-180) at Kovilpatti Phase-II in Tirunelveli by the respondents 1 and 2.

2. The total extent of commercial site allotted to the petitioner was 7460 sq. ft. and the total sale consideration of the said plot was fixed at Rs.48 lakhs. However, upon inspection it was found that the site of the plot is 4981 sq ft. and therefore, there was a shortage of 479 sq ft.

3. In the reply sent to the petitioner, the respondents have stated that the petitioner is entitled for refund of Rs.3,07,997/- towards reduced area, ie., 479 sq ft. The petitioner's grievance is that the said amount has not been refunded nor the respondent had executed a sale deed for an extent of 4981 sq. ft.



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4. Mr.S.Velmurugan, learned Standing counsel for the Housing Board submitted that the amount of Rs.3,07,997/- will be reimbursed to the petitioner and the sale deed will be executed after obtaining approval from the Board.

5. The said submission is taken on record.

6. The Writ Petition is disposed of directing the second respondent to refund the amount of Rs.3,07,997/- within a period of twelve(12) weeks from the date of receipt of a copy of this order and execute the sale deed in respect of the said plot in favour of the petitioner within eight (8) weeks from the date of receipt of a copy of this order.

7. In the event, the said amount was not paid within the stipulated period, the second respondent shall pay interest at the rate of 6% per annum from the date of default till the actual payment.

8. There shall be no orders as to costs.

16.04.2026

Index :Yes/No
Internet :Yes/No
NCC :Yes/No
PJJ

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HEMANT CHANDANGOUDAR, J.

PJL

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