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WA Nos. 3124 of 2025 etc., b8



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-11-2025

CORAM

THE HON'BLE MR JUSTICE R. SURESH KUMAR

AND

THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

**WA Nos. 3124, 3120, 3122, 3123, 3126, 3127, 3129, 3249 and 3446 of
2025 AND CMP Nos.25399, 25407, 25416, 26730, 28156, 25376, 25380
25385, and 25387 OF 2025**

W.A.3124 of 2025

1. The Managing Director
Tamil Nadu Housing Board, CMDA Complex, E and C
Market Road, Koyambedu, Chennai 107.
2. The Executive Engineer
Tamil Nadu Housing Board, Executive Engineer and
Administrative Officer, Anna Nagar Division, Sales
and Office Complex, Thirumangalam, Chennai 101.

..Appellants

Vs

1. Hamsa Sundaramoorthy
W/o.S.Sundaramoorthy, AG-122 River View Colony,
Anna Nagar, Chennai 40.
2. The Principal Secretary
Housing and Urban Development Department,
Government of Tamil Nadu, Fort St. George,
Chennai 9.

..Respondents



WA No. 3120 of 2025

The Executive Engineer cum Administrative
Officer, Anna Nagar Division, TNHB Complex
Thirumangalam, Chennai 101.

..Appellant

Vs

S. Sarabesh
No.2/18, Kamakshipuram, Postal Colony, 1st Street
Extension, West Mambalam, Chennai- 600 033.

..Respondent

WA No. 3122 of 2025

The Executive Engineer Cum Administrative Officer
Anna Nagar Division, TNHB Complex, Thirumangalam,
Chennai -101.

..Appellant

Vs

Lakshita Gupta

..Respondent

WA No. 3123 of 2025

The Executive Engineer Cum Administrative Officer
Anna Nagar Division, TNHB Complex, Thirumangalam,
Chennai -101.

..Appellant

Vs

1. S.Jaya
Ben Foundation, Maple Orchard, No. 1 South Park
Road, Flat No. B-11, CEDAR Block, 3rd Floor, Anna
Nagar West, Chennai-40
2. S.Thanigaivel
Ben Foundation, Maple Orchard, No. 1 South Park
Road, Flat No. B-11, CEDAR Block, 3rd Floor, Anna
Nagar West, Chennai-40

..Respondent(s)



WA No. 3126 of 2025

The Executive Engineer cum Administrative Officer
Anna Nagar Division, TNHB Complex Thirumanagalam
Chennai

..Appellant

Vs

N Sreenivasan

..Respondent

WA No. 3127 of 2025

The Executive Engineer cum Administrative Officer
Anna Nagar Division, TNHB Complex, Thirumangalam,
Chennai - 600 101

..Appellant

Vs

1. C.J.Kosalraman
2. Abirami Kosalraman
Z-1, Krishna Apartments, 3rd Floor, 13th Street, 5th
Avenue, Anna Nagar, Chennai 40

..Respondents

WA No. 3129 of 2025

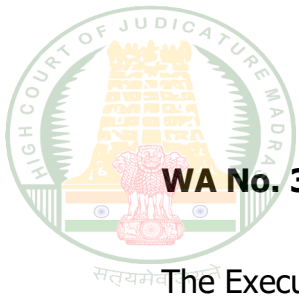
The Executive Engineer cum Administrative Officer,
Anna Nagar Division, TNHB Complex, Thirumangalam,
Chennai - 600 101

..Appellant

Vs

1. N. Banumurthy,
2. B. Geetha Reddy,
Represented by her Power of Attorney,
N.Banumurthy, Residing at New No.5, Old No.01,
Venkateswara Lane, Choolaimedu, Chennai -600
094.

..Respondents



WA No. 3249 of 2025

The Executive Engineer Cum Administrative Officer
Anna Nagar Division, TNHB Complex, Thirumangalam,
Chennai - 600 101

..Appellant

Vs

1. R.Gopalakrishnan
2. B Visalakshi
Res. at No. Z-82, (New No. 9) 3rd Floor, 11th Street,
Anna Nagar, Chennai-40

..Respondents

WA No. 3446 of 2025

The Executive Engineer Cum Administrative Officer,
Anna Nagar Division, TNHB Complex, Thirumangalam,
Chennai - 600 101

..Appellants

Vs

1. A.Natarajan,
Res. at No. 40/1-R-Block, 15th Street, Anna Nagar,
Chennai-40.
2. N.Muthuvalli
Res. at No. 40/1-R-Block, 15th Street, Anna Nagar,
Chennai-40.

..Respondents

WA No. 3124 of 2025

To set aside the order made in WP.NO. 33993/2024, dated 2.6.2025.

WA No. 3120 of 2025

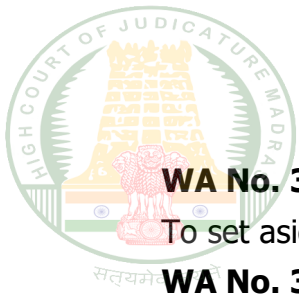
To set aside the order made in W.P. No.34858 of 2024, dated 02.06.2025.

WA No. 3122 of 2025

To set aside the order made in WP No.24568 of 2024, dated 02.06.2025

WA No. 3123 of 2025

To set aside the order made in WP No.24558 of 2024, dated 02.06.2025



WA No. 3126 of 2025

To set aside the order made in WP.No.25239 of 2024, dated 02-06-2025

WA No. 3127 of 2025

To set aside the order made in WP.No.24555 of 2024, dated 02-06-2025

WA No. 3129 of 2025

To set aside the order made in WP.No.24560 of 2024, dated 02-06-2025

WA No. 3249 of 2025

To set aside the order made in W.P.No.24563 of 2024, dated 02.06.2025

WA No. 3446 of 2025

To set aside the order made in WP No. 24573 of 2024, dated 02.06.2025 .

In all W.As

For Appellants : Mr.R.Viduthalai, Senior Counsel
for Mr.D.Veerasekaran

For Respondents : Mr.K.Suresh Kumar For R1 (in WA 3124/2025)
Mr.K.S.Viswanathan, Senior Counsel
for M/s.T.Hemalatha for Respondents in
W.A.Nos.3120, 3122, 3123, 3126, 3127, 3129, 3249
and 3446 of 2025
Mr.E.Veda Bagath Singh
Special Government Pleader for R2 in
W.A.No.3124 of 2025

Order

(Order of the Court was made by R.Suresh Kumar J.)

All these appeals have been filed against the common order passed by the learned Writ Court dated 02.06.2025 in W.P.Nos.33993, 34858, 25468, 24558, 25239, 24355, 24560, 24563 and 24573 of 2024.



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2. It is to be noted that in the said common order, very many such writ petitions were disposed of. In respect of at least 11 writ petitions in the said batch of cases, intra Court appeals in W.A.Nos.2565 of 2025 etc., batch were moved by the Executive Engineer and Administrative Officer, Tamil Nadu Housing Board (TNHB) Anna Nagar Division and those writ appeals were heard and an interim order was passed on 28.08.2025 by a Division Bench of this Court, where one of us (R.Suresh Kumar, J.) was a party. The relevant portion of the said interim order reads as follows:

" 4. In order to balance the convenience of both parties, as an interim arrangement, the following orders are passed: (i) that the Tamil Nadu Housing Board shall execute sale deeds for the remaining writ petitioners / respondents if they are otherwise eligible to get the sale deeds registered in their favour without demanding 5% additional GST. (ii) It is made clear that, ultimately if the Tamil Nadu Housing Board succeeds in the batch of intra Court appeals, whatever the decision to be made by the Court, the parties shall abide by that and in that case, if any decision is taken in favour of Tamil Nadu Housing Board that their demand of additional GST to the extent of maximum 5% is to be collected, the allottees who are going to get the sale deeds executed by virtue of this order shall without any hesitation to make the payment. Only on that condition, the sale deed as directed above shall be



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executed by the Tamil Nadu Housing Board. Insofar as the direction given in paragraph No.22(ii) for refunding of extra 5% collected from some of the writ petitioners who have already paid 5% additional GST is concerned, that direction alone is hereby stayed. This order shall confine only to the writ petitioners whose cases are covered under the impugned order dated 02.06.2025.

5. Issue notice to the respondents in W.A.Nos.2626, 2628 & 2630 of 2025 returnable in four weeks. Private notice is also permitted.

6. Post these matters after four weeks.”

3. Therefore, the learned Senior Counsel appearing for the appellant TNHB would submit that, similar orders may be passed in this batch of writ appeals also, as it is covered by the said order since all these writ appeals arise out of the same common order dated 02.06.2025.

4. However, Mr.K.S.Viswanathan, learned Senior Counsel appearing for some of the respondents in this batch of writ appeals as well as in the batch of writ appeals which were heard wherein interim orders were passed on 28.08.2025 that, despite the direction given through by the earlier Division Bench in the order dated



28.08.2025, except few allottees, sale deeds have not been executed despite a request specifically in this regard having been made to the Housing Board.

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5. However, this complaint made by the respondents' side is denied by the learned Senior Counsel appearing for the Housing Board and he would submit that, in the first batch of cases there were 11 writ appeals, out of which in respect of 7 writ appeals, sale deeds have been executed and remaining cases also would be considered for executing sale deeds in terms of the order passed by this Court on 28.08.2025 shortly. He would also assure that, insofar as this batch of nine cases also, the very same pattern of executing the sale deeds without demanding 5% additional GST would be undertaken on the specific request to be made by the respective allottees.

6. In view of the same, similar order dated 28.08.2025 as passed in W.A.Nos.2565 of 2025 in Paragraph 4 as extracted herein above is passed in the present writ appeals also.



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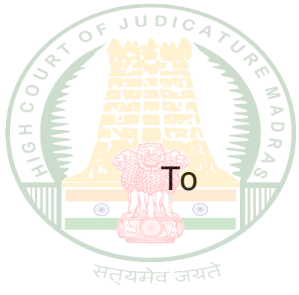
7. It is further directed that the appellant Housing Board shall ensure that the sale deeds with respect to the remaining allottees covered in these two batch of cases shall also be executed at the earliest, preferably within a period of two weeks provided specific request is made in this regard by the individual allottees / respondents.

8. On the side of the allottees / respondents, they shall make a specific request to the Housing Board to execute the sale deed pursuant to the interim order passed by this Court and such a request be made immediately. Some of the respondents who have already made the request, shall send a reminder to the Housing Board forthwith.

9. Post this batch of writ appeals along with W.A.Nos.2565 of 2025 etc., batch for hearing after two weeks. On that date of hearing, both the parties shall file a status report as to the execution of the interim orders.

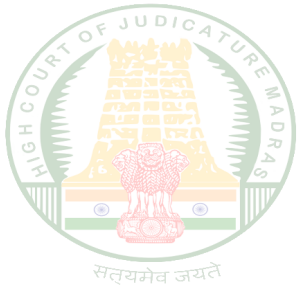
(R.S.K.,J.) (H.C.,J.)
24-11-2025

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3. The Principal Secretary
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WA Nos. 3124 of 2025 etc., b



**R.SURESH KUMAR J.
AND
HEMANT CHANDANGOUDAR J.**

KST

**WA Nos. 3124,3120, 3122, 3123, 3126,
3127, 3129, 3249 and 3446 of 2025**

24-11-2025