



W.A.Nos.3653 of 2025 etc. batch

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2026

CORAM

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE
AND
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.A.Nos.3653, 3897, 3654, 3844, 3967, 3762, 3668, 3669, 3745,
3732, 3656, 3657, 3658, 3659 to 3664, 3670, 3673, 3730,
3749, 3750, 3753, 3798, 3970 of 2025; 243 & 228 of 2026

W.A.No.3653 of 2025

Tamil Nadu Housing Board
rep by the Executive Engineer cum
Administrative Officer, Nandanam
Division, No.485 MTB Building
Nandhanam, Chennai 035.

Appellant(s)

Vs

Thilak K Nath
S/o. K.V. Nath
B3, ICL JUBILEE Apartments
16 Second Main Road, Gandhi Nagar
Adyar, Chennai 020.

Respondent(s)

For Appellant(s): Mr. Veerasekaran.D.

For Respondent(s): Mr.K.S.Viswanathan, Senior Counsel
For Ms.T.Hemalatha
[WA.Nos.3653, 3897, 3654, 3844,
3967, 3762, 3668, 3669, 3745, 3732,
3656, 3657, 3658, 3660, 3661, 3663,
3664, 3670, 3673, 3730, 3749, 3750,
3753 & 3970 of 2025]



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ORDER

(Order of the Court was made by
the Hon'ble Chief Justice)

Heard learned counsel for the appellant.

2. In view of the common interim order passed on 28.8.2025 in a batch of writ appeals arising out of the common order, which is also impugned in this appeal, the following interim order is passed:

(i) 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



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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 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.

3. Notice to respondents returnable in three weeks.
4. List along with W.A.No.2565 of 2025 and batch cases.

(MANINDRA MOHAN SHRIVASTAVA, CJ) (G.ARUL MURUGAN,J)
16.02.2026

kpl