



WEB COPY

WP No. 46861 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-12-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

WP No. 46861 of 2025

AND

WMP NO. 52344 OF 2025, WMP NO. 52347 OF 2025, WMP NO. 52351 OF 2025, WP NO. 46869 OF 2025, WP NO. 46872 OF 2025, WMP NO. 52332 OF 2025, WP NO. 46868 OF 2025

WP.No.46861 of 2025

1. S.Dilip

S/o. P.Sampath Raj, Swastik

Apartments, No. 12/46 R.K.Nagar 1st

Main Road, Dharmambal Corporation

Park (opp. Junction) R.A.Puram

Chennai 28

Petitioner(s)

Vs

1. The Executive Engineer

Foreshore Estate Division, Tamil Nadu

Housing Board, Opp. To Ennore

Thermal Power Station, Kathivakkam

High Road, Ernavoor Chennai 57

2.The Manager (sales And Services)

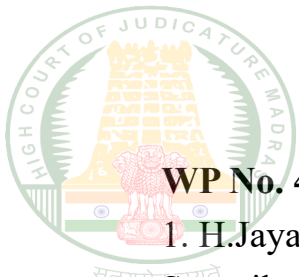
Foreshore Estate Division, Tamil Nadu

Housing Board, Opp. To Ennore

Thermal Power Station, Kathivakkam

High Road, Ernavoor Chennai 57

Respondent(s)



WP No. 46869 of 2025

1. H.Jayashree

Swastik Apartments, No.12/46

R.K.Nagar 1st Main Road

Dharmambal Corporation Park (opp
Junction) R.A.Puram, Chennai-28.

Petitioner(s)

Vs

1. The Executive Engineer

Foreshore Estate Division, Tamil Nadu

Housing Board, Opp. To Ennore

Thermal Power Station, Kathivakkam

High Road, Ernavoor Chennai 57

2.The Manager (sales And Services)

Foreshore Estate Division, Tamil Nadu

Housing Board, Opp. To Ennore

Thermal Power Station, Kathivakkam

High Road, Ernavoor Chennai 57

Respondent(s)

WP No. 46872 of 2025

1. S.Leela

W/o.Subash, Swastik Apartments

No.12/46 R.K.Nagar 1st Main Road

Dharmambal Corporation Park (opp

Junction) R.A.Puram, Chennai-28.

Petitioner(s)

Vs

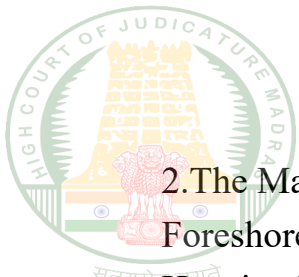
1. The Executive Engineer

Foreshore Estate Division, Tamil Nadu

Housing Board, Opp. To Ennore

Thermal Power Station, Kathivakkam

High Road, Ernavoor Chennai 57



2.The Manager (sales And Services)
Foreshore Estate Division, Tamil Nadu
Housing Board, Opp. To Ennore
Thermal Power Station, Kathivakkam
High Road, Ernavoor Chennai 57

Respondent(s)

WP No. 46868 of 2025

1. S.Thamizhselvi
Swastik Apartments , No. 12/46
R.K.Nagar 1st Main Road,
Dharmambal Corporation Park (opp.
Junction) Ra Puram Chennai 28

Petitioner(s)

Vs

1. The Executive Engineer
Foreshore Estate Division, Tamil Nadu
Housing Board, Opp. To Ennore
Thermal Power Station, Kathivakkam
High Road, Ernavoor Chennai 57

2.The Manager (sales And Services)
Foreshore Estate Division, Tamil Nadu
Housing Board, Opp. To Ennore
Thermal Power Station, Kathivakkam
High Road, Ernavoor Chennai 57

Respondent(s)

In all WPs

For Petitioners:	Mr.C.P.Arivudainambi
For Respondents	Mr.D.Veerasekaran

ORDER

The learned counsel for the petitioners submitted that the petitioners are prepared to pay the differential amount without prejudice to their rights.



Therefore, seeks for a direction to execute the sale deed in favour of the petitioners.

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2. Mr.D.Veerasekaran, the learned counsel for the respondent/Tamil Nadu Housing Board submitted that they are ready to execute the sale deeds on payment of the differential amounts. The learned counsel for the respondent brought to the notice of this Court of common order of a Division Bench of this Court in the case of The Executive Engineer-cum-Administrative Officer, Anna Nagar Division vs. N.Ramaswamy in W.A.Nos.2565 of 2025 etc., batch cases vide order dated 28.08.2025, wherein, a Division Bench has passed the following directions:-

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 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. Considering the above, this Court directs the petitioners to pay the differential amount of the final cost within a period of two weeks, on receipt of the differential amounts, the respondent shall execute the sale deeds in favour of the petitioners within a period of two weeks thereafter. It is made clear that if the differential amount is not paid within a period of two weeks, the respondents are entitled to calculate interest on the delayed payment.

4. Post on 21.01.2026.

04-12-2025

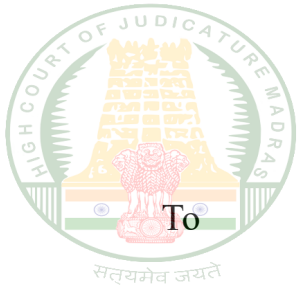
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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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Foreshore Estate Division, Tamil Nadu
Housing Board, Opp. To Ennore
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N.SATHISH KUMAR J.

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