



W.P.(MD) No.8835 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 03.12.2025

CORAM

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

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S.P.Ganesan

... Petitioner

Vs

1. The Managing Director,
Tamil Nadu Housing Board,
CMDA Complex,
E & C Market Road,
Koyambedu, Chennai.
2. The Chief Engineer,
Tamil Nadu Housing Board,
Uchapatti Thoppur Satellite Town Division,
Ellis Nagar, Madurai.
3. The Executive Engineer,
Tamil Nadu Housing Board,
Uchapatti Thoppur Satellite Town Division,
Ellis Nagar, Madurai.
4. The Manager,
Marketing and Service,
Tamil Nadu Housing Board,
Uchapatti Thoppur Satellite Town Division,
Ellis Nagar, Madurai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Mandamus, directing the respondents to hand



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over the Plot No.MIG-071 consisting the extent of 1650 square feet situated at Uchapatti Thoppur Satellite Town Division Scheme, Thoppur Area-II, Madurai, to the petitioner, as allotted through the allotment order in UTA1/MIG-071/2018, DATED 08.10.2018.

For Petitioner : Mr.SP.Vijay Nivas

For Respondents : Mr.R.Sivakumar

ORDER

This Writ Petition has been filed seeking a direction to the respondents to hand over Plot No. MIG-071, measuring an extent of 1650 square feet, situated at Uchapatti Thoppur Satellite Town Division Scheme, Thoppur Area-II, Madurai, to the petitioner, as allotted through the allotment order in No. UTA1/MIG-071/2018 dated 08.10.2018.

2. The learned counsel appearing for the petitioner would submit that the petitioner was initially working as a 'Craftsman' under the Tamil Nadu State Transport Corporation. The third respondent had called for applications for house plot allotment under the Uchapatti Thoppur Satellite Town Division Scheme, Thoppur Area-II, from Central, State and Public Undertaking employees on an “Outright Purchase” basis. The petitioner applied for a house plot under the said scheme in the year



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2011. The fourth respondent received the application of the petitioner and also received a sum of Rs.1,500/- as an advance. Thereafter, the respondents conducted a public lottery on 28.09.2018. The petitioner was selected for a house plot and Plot No. MIG-071 was allotted to him, which was communicated through an allotment letter in UTA1/MIG-071/2018 dated 08.10.2018.

2.(i). The cost of the plot was fixed at Rs.5,38,000/- and the extent of the plot was 1650 square feet, and the petitioner was directed to pay the entire cost within thirty days from the date of receipt of the allotment order. The petitioner approached the fourth respondent within a week along with a Demand Draft in favour of the third respondent, as directed. However, the fourth respondent refused to receive the Demand Draft on the ground that the petitioner had attained superannuation in the very same year. The petitioner, thereafter, gave a representation dated 14.10.2022 seeking handing over of the allotted plot. Since no action was taken on the said representation, the petitioner has filed the present writ petition.



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3. Per contra, the learned counsel appearing for the respondents would submit that at the time of allotment in the year 2018, the petitioner had already attained superannuation on 30.05.2018 and therefore he was not eligible for allotment.

4. However, the learned counsel appearing for the petitioner would submit that the allotment was decided solely based on the application submitted by the petitioner much prior to his superannuation and that no rule has been produced before this Court disentitling a retired employee from availing the benefit pursuant to a valid allotment.

5. Considering the submissions made by the learned counsel appearing for both sides, it is seen that the petitioner was working as a Craftsman in the Tamil Nadu State Transport Corporation and the house plot was allotted to him in the year 2018 for a sum of Rs.5,38,000/-. Though the petitioner attained superannuation in the same year, he had submitted the Demand Draft within the stipulated period. However, the respondents refused to receive the same solely on the ground that the petitioner had retired from service. The right accrued to the petitioner by virtue of a valid allotment cannot be deprived, and no rule has been placed before this Court to justify such deprivation.



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6. In view of the above, this Court directs the fourth respondent to hand over Plot No. MIG-071 to the petitioner within a period of one week from the date of receipt of a copy of this order on payment. The petitioner is directed to deposit the entire amount of Rs.5,38,000/- by way of Demand Draft to the respondents within a period of thirty days from today, and the respondents are directed to accept the same.

7. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

8. Registry is directed to post the matter under the caption 'for reporting compliance' on **03.02.2026**.

03.12.2025

Index : Yes/No
Internet: Yes/No
Neutral Citation: Yes/No
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KRISHNAN RAMASAMY, J.

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