

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.07.2015

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Contempt Petition Nos.1210 and 1323 of 2015

Syed Jaffer .. Petitioner
in both petitions

-vs-

1. Murugaiah Pandian,
Chairman,
Tamil Nadu Housing Board,
Nandanam,
Chennai - 35.
2. A.Rajalakshmi,
Executive Engineer / Administrative Officer,
Tamil Nadu Housing Board,
Nandanam,
Chennai - 35.
3. Ms.Fahmida,
Assistant Revenue Officer,
Tamil Nadu Housing Board,
Nandanam, Chennai - 35. .. Respondents
in both petitions
4. K.Thangamuthu,
Chairman & Managing Director,
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Chepauk, Chennai - 5. fourth respondent in
Contempt P.No.1323/2015

Prayer in both petitions:- Petitions under Section 11 of the Contempt of Courts Act, 1971 praying to punish the respondents for committing grave contempt of the orders passed by this Court in W.P.Nos.35215 of 2013 and 22252 of 2013, in /hcservices/ 11.04.2014, respectively.

For Petitioner : Mr.R.Singaravelan
for Ms.M.Srividhya

For Respondents : Mr.S.Gomathinayagam, AAG,
Asst. by Mr.V.Anandamurthi

COMMON ORDER

Consequent to the undertaking of the learned Additional Advocate General given before this Court on 27.10.2015 to the effect that the respondents are ready to execute the sale deed in favour of the petitioner as per G.O.Ms. No.252 dated 18.10.2002, the Assistant Secretary (Plots) of the T.N.Slum Clearance Board - Mr.N.Viswanathan, who was present before Court, was directed to give the details of the available individual row-type houses today. Accordingly, the said Officer has produced today a list of six row-type individual houses situated in CIT Nagar, lying without execution of sale deed.

2. Mr.S.Gomathinayagam, learned Additional Advocate General appearing for the respondents submitted that, out of the six houses in respect of which no sale deed has been executed, house No.1 is in possession of a legal heir, house No.6 is occupied by a person by way of transfer, house No.3 remains without occupation however, in a damaged condition and house Nos.2, 4 and 5 can be identified for allotment to the petitioner, as the persons in these houses are residing there unauthorizedly without any valid allotment order. However, he added that it may

take some time for eviction of those illegal occupants since it involves procedural formalities.

3. Learned counsel for the petitioner would request this Court, by citing the ill-health of the petitioner and his old-age, to direct the respondents for early execution of the sale deed.

4. Considering the above submissions, this Court directs the respondents/Slum Clearance Board to execute the sale deed in respect of any one of the three houses as mentioned by the learned Additional Advocate General, in favour of the petitioner in terms of G.O. Ms. No.252, dated 18.10.2002, within a period of four weeks from the date of receipt of a copy of this Order, however, if for any reason, the Board finds any impediment as expressed by the learned Additional Advocate General, the plot shown against Serial No.3 viz., "No.Nil, 5th Main Road, CIT Nagar, (Plot No.68, measuring 627 sq. ft.)" can be given as there would not be any difficulty for the respondents in executing the sale deed relating to the said unoccupied plot-old house. It is needless to mention that the petitioner shall hand over the keys of the Housing Board Quarters immediately after execution of the sale deed by the Board.

5. Consequently, Contempt Petitions are disposed of.

rkm

SD/-
DEPUTY REGISTRAR(OS)

//Certified to be true copy//

Dated at Madras this the day of 2015.

COURT OFFICER(O.S.)

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SS/CO/03/08/2015

To

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Chairman,
Tamil Nadu Housing Board,
Nandanam,
Chennai - 35.
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No.5, Kamarajar Salai,
Chepauk, Chennai - 5.