

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01-06-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.14026 of 2015

and

M.P.No.1 of 2015

K.Rupkumar

Represented by his Power Agent

A.Rajasekar

...Petitioner

vs

1. The Chairman
Tamil Nadu Slum Clearance Board
Nandanam, Chennai

2. The Estate Officer
Estate Office-III,
Tamil Nadu Slum Clearance Board
Thirumangalam, Chennai 600 040

3. P.Jothi Prakash

...Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents 1 and 2 to execute the sale deed in favour of the petitioner in respect of the property in Plot No.2 and 3, Plot No.213, N.S.K. Street, Annai Sathya Nagar, Ambattur, Chennai 600 053.

For Petitioner : Mr.D.Gubendra Gunabalan

For Respondents : Mr.B.Kesavan for RR1 & 2

ORDER

By consent, the writ petition itself is taken up for final disposal.

2.The petitioner would state that he was allotted Plot Nos.2 and 3 and 213, NSK Street, Annai Sathya Nagar, Chennai, admeasuring to an extent of 96.36 square meters and he has also paid the amounts by means of instalments and the first respondent has also given No Objection Certificate for getting electricity service connection on 29.4.2008 itself. The petitioner would further state that he has also put up a superstructure on the said plot and the first respondent has to execute the sale deed under Madras Urban

Development Project/Tamil Nadu Urban Development Project and in this regard, he has submitted a representation on 29.4.2008, and since no response is forthcoming, came forward to file this writ petition.

3.Mr.D.Gubendra Gunabalan, learned Counsel appearing for the petitioner, has drawn the attention of this Court to the typed-set of documents and would submit that the second respondent has also given No Objection Certificate on 29.4.2008, and hence, there cannot be any difficulty on the part of the second respondent to execute the sale deed in respect of the above said plots, and prays for appropriate orders.

4.Mr.B.Kesavan, learned Standing Counsel, accepts notice for the respondents 1 and 2.

5.Though the petitioner has prayed for a larger relief, this Court, in the facts and circumstances of the case, permits the petitioner to submit one more representation to the respondents 1 and 2 by enclosing a copy of his earlier representation, within a period of two weeks from the date of receipt of a copy of this order, and respondents 1 and 2, on receipt of the same, are directed to consider and pass orders in accordance with law, within a period of twelve weeks thereafter, after putting on notice, the third respondent, and communicate the decision, to the petitioner as well as to the third respondent. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

nsv

To

1. The Chairman
Tamil Nadu Slum Clearance Board
Nandanam, Chennai
2. The Estate Officer
Estate Office-III,
Tamil Nadu Slum Clearance Board
Thirumangalam, Chennai 600 040

2 CCs to Mr.D.Gubendra Gunabalan, Advocate SR.No. 26341, 25844
1 CC to Mr.B.Kesavan, Advocate SR.No. 26075

W.P.No.14026 of 2015

SVI (CO)
PSI (11.06.2015)