

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 29.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.M. SUNDRESH

W.P.No.33091 of 2015

and

M.P.No.1 of 2015

P.Sumathi

... Petitioner

- Vs -

1. The Managing Director,
Tamil Nadu Housing Board,
Nanthanam,
Chennai-600 035.

2. The Executive Engineer and
Administrative Officer,
Dr.Kalainar Karunanidhi Nagar Division,
Tamil Nadu Housing Board,
Ashok Nagar, Shopping Centre,
Chennai-600 083.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus, directing the respondents to consider and dispose of the petitioner's representation dated 26.08.2015.

For Petitioner : Mr.Abdul Naseez
for M/s.Svaak Legal

For Respondents : Mr.V.Anandamoorthy

O R D E R

Heard the learned counsel for the petitioner as well as learned counsel for the respondents 1 and 2.

2. Claiming to be the legal heir of one Mrs.Mangathayarammal Wife of late N.P.Gangaraja, the petitioner made a request to the respondents on 26.08.2015 seeking execution of the sale deed in her favour in respect of the house property situated at No.92/3, 1st Floor, Phase II, Ashok Nagar, Chennai-93. Seeking consideration of the same, the present Writ Petition is filed.

3. The learned counsel for the respondents 1 and 2 submitted that a counter claim has been made by one Chandran also enclosing the Legal Heir certificate. Thus the certificate produced by the petitioner as well as Mr.Chandran has been referred to the District Collector, Chennai and the enquiry is pending and only based upon the decision made by the revenue authorities, a final decision can be taken by the respondents.

4. Considering the above a direction is issued to the District Collector, Chennai to adjudicate the issues of the legal heir certificate between the petitioner and Chandran with respect to the property situated at No.92/3, 1st Floor, Phase II, Ashok Nagar, Chennai-93, within a period of six weeks from the date of receipt of a copy of this order. The District Collector, Chennai will have to consider the relevant documents including the scope and applicability of the order passed in T.O.S.No.21 of 1994 dated 06.08.2004. After receipt of the same, the respondent concerned shall take a decision on the execution of the Sale Deed either in favour of the petitioner or one Chandran as the case may be. The petitioner as well as the respondents were also at liberty to communicate the order copy to the District Collector, Chennai.

This Writ Petition is disposed with the above directions. No costs. Consequently, connected Miscellaneous Petition is closed.
Arr

Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub-Assistant Registrar

To

1. The Managing Director,
Tamil Nadu Housing Board,
Nanthanam,
Chennai-600 035.
2. The Executive Engineer and
Administrative Officer,
Dr.Kalainar Karunanidhi Nagar Division,
Tamil Nadu Housing Board,
Ashok Nagar, Shopping Centre,
Chennai-600 083.

3. The District Collector
Chennai

+1 C.C. To MR.V.Anandhamurthy, Advocate in SR.NO.58909

+1 C.C. To M/s.Svaak Legal, Advocate in SR.NO.58927

W.P.No.33091 of 2015
and
M.P.No.1 of 2015

TEJ(CO)
sd : 05/11/2015



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