

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATE: 27-09-2016

CORAM

THE HONOURABLE MR.JUSTICE M.JAICHANDREN

Writ Petition No.22073 of 2014

S.M.Venkatesan

.. Petitioner

Vs

1.The Managing Director
Tamil Nadu Slum Clearance Board
No.5, Kamarajar Salai
Chennai-5.

2.The District Collector
Sigaravelar Maligai
Rajaji Salai
Chennai-1.

3.The Estate Officer
Estate Office No.5
Tamil Nadu Slum Clearance Board
T.P.Chathiram
Kilpauk, Chennai-10.

4.The District Revenue Officer
Singaravelar Maligai
Rajaji Salai
Chennai-1.

5.The Tahsildar
Egmore-Nungambakkam Taluk
Chetpet, Chennai-31.

6.The Assistant Secretary (Plots)
Tamil Nadu Slum Clearance Board
No.5, Kamarajar Salai
Chennai-5.

... Respondents

Prayer : The writ petition is filed to issue a Writ of Mandamus, directing the respondents 2, 4 & 5 to approve the proposal for transfer of lands by the Respondents 1, 3 and 6 situated in field No.2, Block No.3, 4 and 5, situated at Aminjikarai Village, Egmore-Nungambakkam Taluk, and consequently, to execute the sale deed in favour of the petitioner as per the allotment order, dated 1.3.1985 as per the proceedings in Ch.Mu.No.1234/84/D, in respect of Plot No.25, 2nd Street, K. Venkatasamy Naidu Puram II, T.P. Chathiram, Kilpauk, Chennai-10.

For Petitioner
For Respondents
2,4,5

: M/s.M.Vivekanandan
: Mr.V.Jaya Prakash Narayanan
Spl. Govt. Pleader.

For R1,3,6

Mr.B.S.Sundaramoorthi

O R D E R

Heard.

2. This writ petition has been filed, praying that this Court may be pleased to issue a Writ of Mandamus, directing the respondents to transfer, the lands in question, to the Tamil Nadu Slum Clearance Board and consequently, to execute the sale deed, in favour of the petitioner, as per the allotment order, dated 1.3.1985, in respect of the Plot No.25, situated at 2nd Street, K. Venkatasamy Naidu Puram II, T.P. Chathiram, Kilpauk, Chennai.

3. The petitioner has stated that, even though the petitioner had paid the entire dues relating to the said plot, the Tamil Nadu Slum Clearance Board had not registered the sale deed in favour of the petitioner, in respect of the Plot No.25, allotted to the petitioner, till date. Hence, the petitioner had preferred the present writ petition, under Article 226 of the Constitution of India.

4. Paragraph No.7 of the Counter affidavit filed on behalf of the Tamil Nadu Slum Clearance Board, dated 23.9.2016, reads as follows:-

"7.I humbly submit that the Tamil Nadu Slum Clearance Board has sent letter, dated 13.4.2015 in proceedings ep/M/ 1(3), 11027, 1994 to the District Collector what steps have been taken to transfer the above land in favour of the Tamil Nadu Slum Clearance Board. I humbly submit that Tamil Nadu Slum Clearance Board is waiting for the reply from the Government for transfer of the above lands in favour of board and as soon as the lands are transferred in the name of the Tamil Nadu Slum Clearance Board, the Board will take steps to execute sale Deed in favour of the writ petitioner for the above Plot No.25. I submit that since the land has not yet been transferred in the name of the Board itself, the Tamil Nadu Slum Clearance Board is not in a position to execute Sale Deed in the name of the Writ Petitioner. "

5. In view of the averments made in Paragraph No.7 of the counter affidavit filed on behalf of the respondents 1, 3 and 6, namely, the Tamil Nadu Slum Clearance Board, this Court is of the view that, no further orders are necessary, in the present writ petition. Hence, the writ petition stands closed. No costs.

-s/d-
Assitant Registrar

True Copy

Sub-Assistant Registrar

rnb

To

1.The Managing Director
Tamil Nadu Slum Clearance Board
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Chennai-5.

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6.The Assistant Secretary (Plots)
Tamil Nadu Slum Clearance Board
No.5, Kamarajar Salai
Chennai-5.

+1 cc to Mr.M.Vivekanandan Advocate sr 55114

+1 cc to Mr.B.S.Sundaramoorthi Advocate sr 54963

+1 cc to Government Pleader vider sr 55379

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skv(co)

aa12/11/2016