

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.24316 of 2016

Mrs.J.Kalyani

... Petitioner

Versus

1. The Managing Director
Tamil Nadu Housing Board
Anna Salai, Nandanam, Chennai-35.

2. The Executive Engineer
Tamil Nadu Housing Board
KK Nagar Division, Ashok Nagar
Chennai 600083.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the respondents to consider and dispose the petitioner's representations dated 30.06.2015 and 21.03.2016 to transfer the allotment order in the name of the petitioner and execute the sale deed in respect of Door No.2, Plot No.99, Bharathi Street, Kaveri Nagar, Saidapet, Chennai 600015 measuring about 2,400 sq.ft. within the time stipulated by this Court.

For Petitioner : Mr.S.Velmurugan

For RR 1 & 2 : Mr.V.Anandamoorthy

ORDER

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

2. The petitioner claims that her father [late] V.S.Natarajan, was in peaceful possession and enjoyment of the land admeasuring to an extent of 2400 sq.ft. situated at Door No.2, Plot No.99, Bharathi Street, Kaveri Nagar, Saidapet, Chennai 600015 and in the year 1967, the respondents have formed a layout in the name of CIT Nagar and started allotting plots in favour of persons who were in possession and accordingly, in the year 1969, the respondents have allotted Plot No.99 in favour of the petitioner's father and necessary fee, as per the Allotment Order, had also been paid. The petitioner would further state that in the year 1975, the said lands were

transferred in the name of the respondents and the petitioner's father and mother died on 18.10.1984 and 21.05.1988 respectively, leaving behind the petitioner and her brothers and sister. The petitioner, after getting No Objection Certificate from her brothers and sisters, had approached the respondents for transfer of allotment order in her name and she has also submitted representations on 30.06.2015 and 21.03.16 in that regard and since no response is forthcoming, she came forward to file the present writ petition.

3. Heard the learned counsel for the petitioner and Mr.V.Anandamoorthy, learned counsel who accepts notice on behalf of the respondents.

4. Though the petitioner has prayed for a larger relief, this Court, taking into consideration the above facts and circumstances and without going into the merits of the claim projected by the petitioner either in her representations or in this writ petition, directs the 2nd respondent to consider and dispose of the petitioner's representations dated 30.06.2015 and 21.03.2016 on merits and in accordance with law, after putting on notice the other legal heirs and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as to the person/s concerned.

5. The writ petition is disposed of with the above direction and observation. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

AP
To

1. The Managing Director
Tamil Nadu Housing Board
Anna Salai, Nandanam, Chennai-35.
2. The Executive Engineer
Tamil Nadu Housing Board
KK Nagar Division, Ashok Nagar
Chennai 600083.

+1cc to Mr.S.Velmurugan, Advocate, S.R.No.39578

+1cc to Mr.V.Anandamoorthy, Advocate, S.R.No.39916

W.P.No.24316 of 2016

GJ(CO)

CA(01/08/2016)