

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.27935 of 2016

C.Govindhammal

... Petitioner

Vs.

1 The Managing Director,
Tamil Nadu Slum Clearance Board,
Door No.5, Kamarajar Salai,
Chennai-600 005.

2 Mr.N. Munusamy

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent not to execute and register a Sale Deed in favour of the 2nd Respondent in respect of the Plot No.28 situated at Door No.23, New Vazhaima Nagar, Mangalapuram, Chennai – 600 012 based on the petitioner's recent representation dated 25.01.2016.

For Petitioner : Mr.G.Balamanikandan

O R D E R

The petitioner would state that the first respondent vide proceedings in Na.Ka.No.970/83/2 dated 12.03.1983 had allotted a property admeasuring to an extent of 860 sq.ft. bearing Plot no.28,

Door no.23, New Vazhaima Nagar, Mangalapuram, Chennai – 600 012 in favour of her father – in – law namely, Thiru.Narayanasamy and according to her, her husband namely, N.Chandran and the second respondent are the legal heirs. The petitioner would further state that her husband had put up a thatched shed in the said property and she along with her family and father – in – law were in possession of the said property. The husband of the petitioner died on 02.07.1983 so also her father – in – law who died on 31.05.1997.

2.The apprehension expressed by the petitioner is that the second respondent is making attempt to get the change of allotment in his name and the petitioner and her son and daughter had also filed a suit in O.S.No.629 of 2016 on the file of the XVII Additional City Civil Court, Chennai for partition and separate possession and it is pending. The petitioner in this regard, has also submitted a representation dated 25.01.2016 to the first respondent and though, it was received and acknowledged, no orders have been passed and hence, came forward to file this writ petition.

3.Heard the submissions of the learned counsel appearing for the petitioner.

4.Though, the petitioner prayed for a larger relief, this Court in the light of the above facts and circumstances and without going into the merits of the same, directs the first respondent to consider and dispose of the petitioner's representation dated 25.01.2016, in accordance with law and after putting on notice the second respondent, 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 the second respondent.

5.The writ petition is disposed of accordingly. No costs.

10.08.2016

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Index: Yes/ No
Internet: Yes/ No

To

- 1 The Managing Director,
Tamil Nadu Slum Clearance Board,
Door No.5, Kamarajar Salai,
Chennai-600 005.

M.SATHYANARAYANAN,J.
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