

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.43017 of 2016

K.Mohan Ravi

.. Petitioner

-vs-

1. Chennai Metropolitan Development Authority
rep.by its Chief Executive Officer
No.1, Gandhi Irwin Road
Egmore, Chennai 600 008

2. Chennai Metropolitan Development Authority
rep.by its Member Secretary
No.1, Gandhi Irwin Road
Egmore, Chennai 600 008

.. Respondents

Petition under Article 226 of the Constitution of India,
praying for the issue of a Writ of Mandamus, directing the
respondents to dispose off the representation of the petitioner
dated 01.02.2016.

For Petitioner :: Mr.M.Raja Sekhar
For Respondents :: Mr.M.Karthikeyan

ORDER

Mr.K.Mohan Ravi, Son of late R.V.Kannan, has come to this Court seeking issuance of a writ of mandamus, directing the respondents to dispose of his representation dated 1.2.2016, wherein he has requested the Chief Executive Officer of the Chennai Metropolitan Development Authority, the first respondent herein to inform him about the balance sale consideration to be paid by him for the Shop No.69 in 'N' Block having an extent of 150 sq.ft., situated in the Koyambedu Wholesale Market complex.

2. The claim of the petitioner is that his father late R.V.Kannan applied for allotment of a shop to an extent of 150 sq.ft., through his application bearing No.30322 dated 14.11.87 to the respondents and also paid a sum of Rs.16,975/- on 13.1.89 followed by another payment of Rs.10,000/- on 24.4.91. Subsequently, his father was allotted the Shop No.69 in 'N' Block to an extent of 150 sq.ft., at the Koyambedu Wholesale

Market complex to vend vegetables on 15.3.94 on payment of a total sale consideration of Rs.1,47,832/- and accordingly, physical possession of the shop was also handed over to his father. However, after his father died on 26.12.2005, the petitioner has been running the shop in question as his legal representative. But recently he came to know that no sale deed was registered in favour of his father due to non-payment of the balance sale consideration. Therefore he has made the aforementioned representation to the first respondent to inform him about the balance sale consideration to be paid for the shop. The learned counsel for the petitioner also submitted that as on date, the petitioner has been in physical possession of the shop in question and he has also filed the receipts for payment of a sum of Rs.51,700/- on 29.9.2016 and another sum of Rs.42,310/- on 30.9.2016 to the respondents. Since the first respondent has not acted on his representation, he is before this Court.

3. The learned standing counsel for the respondents also does not dispute the submissions made by the learned counsel for the petitioner.

4. Considering the fact that the petitioner has been in physical possession of the shop in question as on date and he had also paid a sum of Rs.51,700/- on 29.9.2016 vide the receipt No.1215 and another sum of Rs.42,310/- on 30.9.2016 vide the receipt No.1223 issued by the Market Management Committee of the Koyambedu Wholesale Market Complex, the first respondent is hereby directed to consider the representation of the petitioner dated 1.2.2016 on merits and pass appropriate orders in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-

सत्यमेव जयते
Assistant Registrar

//True Copy//

WEB COPY
Sub Assistant Registrar

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To

1. The Chief Executive Officer
Chennai Metropolitan Development Authority
No.1, Gandhi Irwin Road
Egmore
Chennai 600 008

2. The Member Secretary
Chennai Metropolitan Development Authority
No.1, Gandhi Irwin Road
Egmore
Chennai 600 008

+1cc to Mr.M. Rajasekar, Advocate, S.R.No.72696

lrs(CO)
md(27/12/2016)

W.P.No.43017 of 2016



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