

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10/3/2016

C O R A M

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.8872 of 2016

T.Seetha

... Petitioner

Vs

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

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the respondent to execute and register a sale deed in favour of the petitioner in respect of the premises bearing Door No.83 Plot No.353, V.O.C.Nagar, 9<sup>th</sup> Street, Pulianthope, Chennai 600 012, based on the petitioner's recent representation dated 4/2/2016.

For Petitioner ... Mr.G.Balamanikandan

For respondent ... Mr.S.Prabhu

O R D E R

With the consent of the learned counsel appearing on either side, this writ petition is taken up for final disposal.

2. Heard Mr.G.Balamanikandan, learned counsel for the petitioner and Mr.S.Prabhu for the respondent.

3. This writ petition has been filed praying to direct the respondent to execute and register a sale deed in favour of the petitioner in respect of the premises bearing Door No.83 Plot No.353, V.O.C.Nagar, 9<sup>th</sup> Street, Pulianthope, Chennai 600 012, based on the petitioner's recent representation dated 4/2/2016.

4. The case of the petitioner is that the respondent, by his proceedings dated 18/2/1983, allotted a vacant land being Plot No.353. After the demise of the mother of the petitioner, one Ezhhilarasi, who claim herself as a legal heir and filed a Civil

Suit in O.S.No.4761 of 2013 before the learned I Assistant City Civil Court, Chennai. Hence the petitioner had submitted a representation, dated 4/2/2016, to the respondent, to execute and register a sale deed in the name of the petitioner, for the aforesaid property in question. Since the respondent has not taken any action, the petitioner has come up with the present writ petition, praying for the relief as stated therein.

5. Without going into the merits of the claim of the petitioner, the respondent is hereby directed, to consider the representation of the petitioner, dated 4/2/2016, and pass an appropriate order, on merits and in accordance with law, within a period of six weeks, from the date of receipt of a copy of this order, by affording an opportunity of personal hearing to the petitioner, as well as to all the necessary parties concerned. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim of the petition.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

mvs.

To

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

+1cc to M/s. G. Balamanikandan, Advocate, S.R.No.10684  
+1cc to Mr.S. Prabhu, Advocate, S.R.No.15257

CTK(CO)  
EU(29/03/2016)

W.P.No.8872 of 2016