

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.07.2017

CORAM

THE HON'BLE MR. JUSTICE M.DURAI SWAMY

W.P.No.18791 of 2017

V.Gowri

... Petitioner

v.

1.The Secretary to Government
Tamil Nadu Housing and Urban Land Department
Secretariat
Chennai - 600 009.

2.The Director
Tamil Nadu Slum Clearance Board
Chennai - 600 005

3.Varathan

... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus, or direction to consider the petitioner's representation dated 15.07.2017 by the 1 and 2 respondents and consequently direct the 1 and 2 respondents to execute the sale deed in petitioner's favour in respect of the petitioner's residence house properties.

For Petitioner : Mr.T.V.G.Kartheeban

For Respondents : Mr.R.Rajeswaran
Special Govt. Pleader - for R1
Mr.R.Sivakumar
Standing Counsel - for R2

ORDER

Mr.R.Rajeswaran, learned Special Government Pleader, takes notice for the 1st respondent and Mr.R.Sivakumar, learned Standing counsel, takes notice for the 2nd respondent.

2.The petitioner has filed the above Writ Petition to issue a writ of mandamus directing the respondents 1 and 2 to consider her representation dated 15.07.2017 and consequently direct the respondents 1 and 2 to execute the sale deed in her name in respect of her residential house property.

3.The learned counsel appearing for the petitioner submitted that the 3rd respondent, who is the husband of the petitioner, has no objection for executing the sale deed in favour of the petitioner.

4.However, Mr.R.Sivakumar, learned Standing counsel, appearing for the 2nd respondent submitted that the sale deed can be executed only in favour of the allottee and not in the name of the third party.

Further, the learned counsel submitted that the dispute is only between the petitioner and the 3rd respondent which is civil in nature and it can be adjudicated only before the competent civil court.

5. Recording the submissions made by the learned counsel on either side, I direct the 2nd respondent to pass orders on the petitioner's representation dated 15.07.2017, after giving notice to the 3rd respondent, within a period of six weeks from the date of receipt of a copy of this order.

With this observation, the Writ Petition is disposed of. No costs.

25.07.2017

Index : Yes/No

Rj

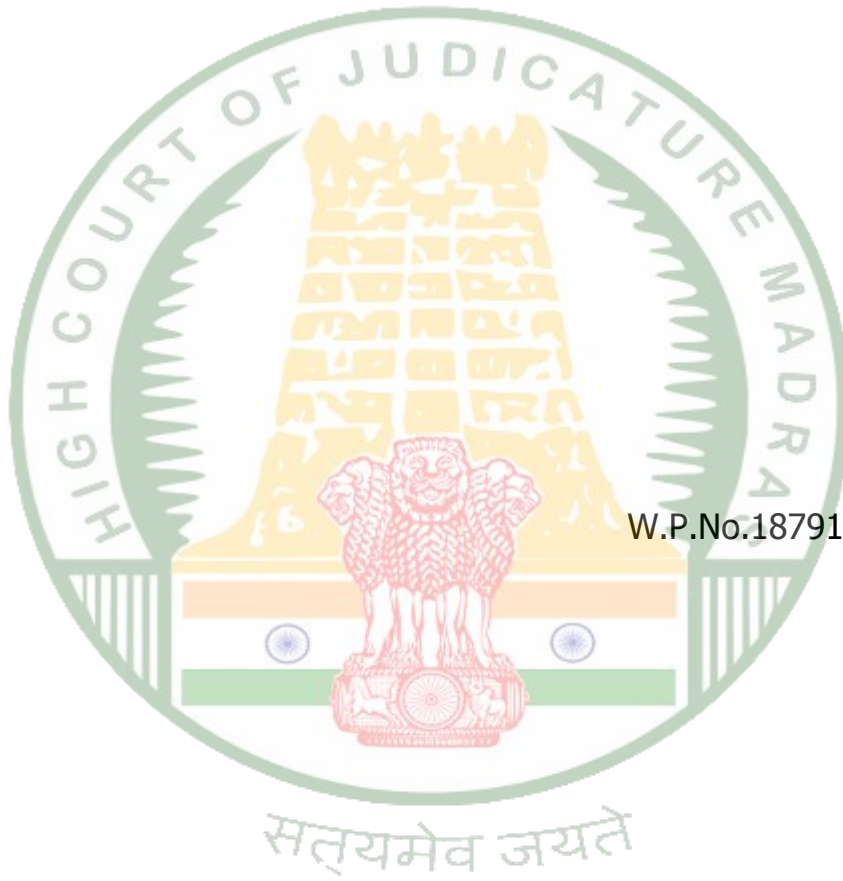
To

1. The Secretary to Government
Tamil Nadu Housing and Urban Land Department
Secretariat
Chennai - 600 009.

2. The Director
Tamil Nadu Slum Clearance Board
Chennai - 600 005

M.DURAISWAMY, J.

Rj



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