

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2017

CORAM :

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

W.P. No. 19487 of 2012

K. Ponniah

.. Petitioner

Vs.

1. Tamilnadu Slum Clearance Board
rep. By its
Managing Director,
No.5 , Kamarajar Salai
Chennai - 600005.

2. The Estate Officer,
Estate Office-3
Tamilnadu Slum Clearance Board
Thirumangalam, Chennai - 600 040.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the first respondent to consider the representation of the petitioner dated 21.04.2012 and execute necessary sale deed in favour of the petitioner in respect of the plot No 340, 36th street, GKM Colony, Chennai-600 082 within a time stipulated by this court and pass such further orders.

For Petitioner : Mr. A. Sheik Peer

For Respondents : Mr. S. Prabhu, Standing Counsel
for Slum Clearance Board

O R D E R

The petitioner has filed the present writ petition, seeking to direct the first respondent to consider his representation dated 21.04.2012 and execute necessary sale deed in favour of him in respect of the plot No 340, 36th street, GKM Colony, Chennai-600 082 within a time stipulated by this court.

2. According to the petitioner, he was allotted a plot bearing No 340, 36th street, GKM Colony, Chennai-600 082 by the first respondent on lease cum sale basis. As per the

allotment order, The petitioner has paid the full sale price amount as demanded by the respondents and also constructed building in the said plot and is continuously living there. Although the first respondent had issued no objection certificates for obtaining electricity connection, water and sewerage connections etc., he has not issued the sale deed in the name of the petitioner. In this regard the petitioner submitted his representation in the year 2009 but the same was rejected on the ground that they are expecting necessary orders from the government refixing the sale price. It is further stated that the petitioner is 70years old and he has to settle the property to his children, he once again submitted his representation on 21.04.2012 to the respondents. Since no orders have been passed the petitioner has filed this writ petition seeking the aforesaid prayer.

3. Learned Standing Counsel Submitted that if the representation of the petitioner is still pending before the respondents, the same would be considered in accordance with law.

4. Heard learned counsel for the petitioner and learned Standing Counsel for the respondents.

5. Considering the limited scope of prayer and taking into consideration the facts and circumstances of the case, without going into the merits of the case, the 1st respondent is directed to consider the representation of the petitioner dated 21.04.2012 on merits and in accordance with law, as expeditiously as possible, preferably within a period of eight weeks from the date of receipt of a copy of this order. The petitioner is also directed to submit a copy of the representation, along with a copy of this order.

6. The writ petition is disposed of, on the above terms. No costs.

-s/d-

Assistant Registrar (CS-VII)

True Copy

Sub-Assistant Registrar

To

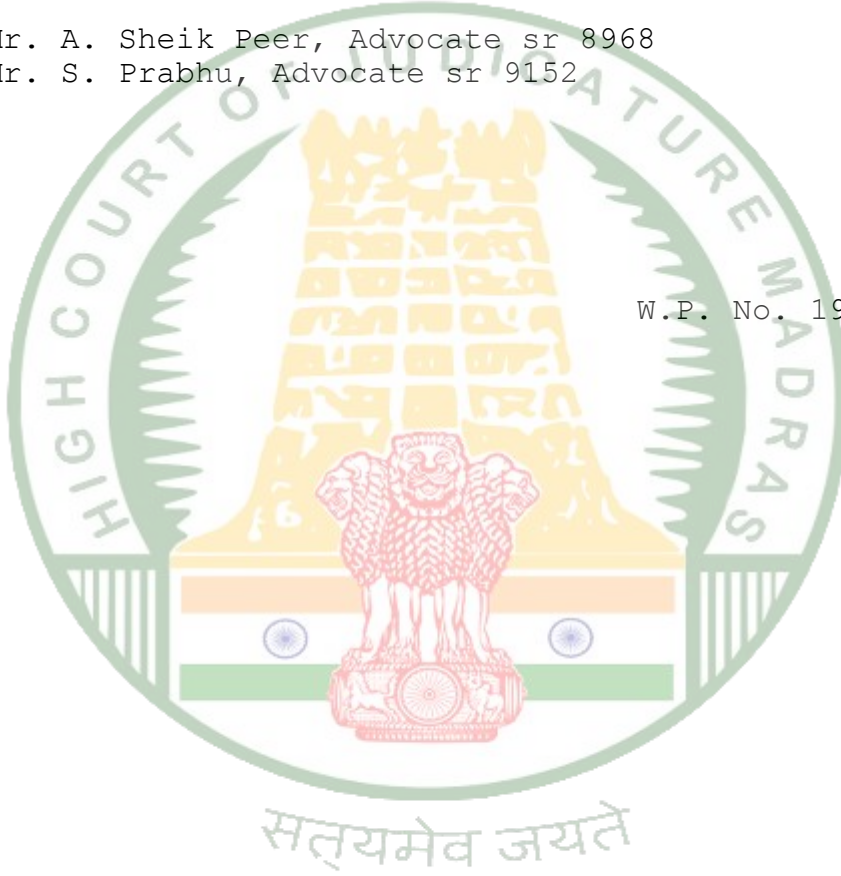
1. Managing Director,
Tamilnadu Slum Clearance Board
No.5 , Kamarajar Salai
Chennai - 600005.
2. The Estate Officer,
Estate Office-3
Tamilnadu Slum Clearance Board
Thirumangalam, Chennai - 600 040.

+1 CC to Mr. A. Sheik Peer, Advocate sr 8968

+1 CC to Mr. S. Prabhu, Advocate sr 9152

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GJII (CO)
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