

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 23.01.2017

CORAM

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P.No.35404 of 2016

S.Devarajan

.. Petitioner

Vs

The Chairman

Tamilnadu slum Clearance Board,

No.5, Kamarajar Salai,

Chepauk, Chennai 600 005.

... Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the respondent to consider his representation dated 13.06.2016 and to execute a sale deed in respect of the property mentioned in the allotment order dated 03.10.1988 in Se.Mu.No.51/84/D/83.

For Petitioner : Mr.S.Ravi

For Respondent : Mr.S.Prabu

Standing Counsel for Slum Clearance

O R D E R

The respondent/Tamil Nadu slum Clearance Board allotted the property bearing Plot No.303, Thillaiyadi Valliyammal Nagar, Tirumangalam, Chennai comprised in S.No.228/2 Koyambedu Village, measuring an extent of 0.81.0 sq.ft to the petitioner under order dated 11.02.1984. Subsequently, issued a allotment order dated 03.10.1988 in Se.Mu.No.51/84/D/83. The entire installments were paid on 12.02.1992. The respondent has given no objection certificate to obtain electricity connection, water connection and drainage connections and to avail loan to construct a building.

2. It is further case of the petitioner that he submitted the application to the respondent on 23.10.2007, requesting the respondent to execute the sale deed in his favour. As per the order of the respondent, he submitted the death certificate of his wife directly to the respondent's office within the specified time. Even after submitting the death certificate of his wife, the respondent has failed to execute the sale deed in his favour. Hence, he sent representations to the respondent dated 23.07.2015 and 16.02.2016 and 13.06.2016

requesting the respondent to execute the sale deed in respect of plot No.303 in his favour. The respondent neither replied nor executed the sale deed. Hence he has come forward with the present writ petition.

3. Heard the submission of Mr.S.Ravi, learned counsel appearing for the petitioner; Mr.S.Prabu, learned Standing Counsel appearing for the respondent/Slum Clearance Board.

4. This Court, considering the facts and circumstances of this case, directs the respondent to consider the representations of the petitioner dated 23.07.2015 and 16.02.2016 and 13.06.2016 and pass appropriate orders, on merits and in accordance with law as expeditiously as possible, preferably within a period of three months from the date of receipt of copy of this order.

5. The Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

kkd

To

The Chairman

Tamilnadu slum Clearance Board,

No.5, Kamarajar Salai,
Chepauk, Chennai 600 005.

+lcc to Mr.S. Prabhu, Advocate, S.R.No.4766

+lcc to Mr.S. Ravi, Advocate, S.R.No.4345

kji (CO)

md(16/02/2017)

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