

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:09.10.2018

C O R A M

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

Writ Petition No.30410 of 2011 &
M.P.Nos.1 and 2 of 2011

S.Sathishkumar

..Petitioner

Vs.

1.The Chairman,
Tamil Nadu Slum Clearance Board,
Estate Officer-II,
Arignar Anna Platinum Jubilee Building,
Chennai - 600 005.

2.S.Madhivanan ..Respondents

Prayer: Petition filed under article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to forbear the first respondent from issuing of sale deed in respect of property situated at Plot No.5, New No.30, Old No.35 in Survey No.248, New Survey No.248 (Part) at Dhaththan Kuppam Main Road, Periyar Nagar, Villivakkam Village, Perambur - Purasaiwalkam Taluk, Chennai - 49 consisting of 58.0 sq.m i.e., 624 sq. ft. of land bounded on North by Plot No.5, South by Plot No.4, East by Plot in Survey No.259 and West by 30 feet road either in the name of second respondent or in the name of any third person except the petitioner's name.

For Petitioner : Mr.B.Sundara Pandiyan

For Respondents : Mr.S.Prabhu

Standing Counsel for R1
R-2 dismissed

O R D E R

Heard Mr.B.Sundara Pandiyan, learned counsel for the petitioner and Mr.S.Prabhu, learned standing counsel for the first respondent and perused the materials available on record.

2. The petitioner has come forward with this writ petition praying for issuance of Writ of Mandamus, forbearing the first respondent from issuing of sale deed in respect of property situated at Plot No.5, New No.30, Old No.35 in Survey No.248, New Survey No.248 (Part) at Dhaththan Kuppam Main Road, Periyar Nagar, Villivakkam Village, Perambur - Purasaiwalkam Taluk, Chennai - 49 consisting of 58.0 sq.m i.e., 624 sq. ft. either in favour of the second respondent or in the name of any third person except the petitioner's

3. According to the learned counsel for the petitioner, Plot No.5 in Villivakkam Village, Purasaiwalkam Taluk was allotted by the first respondent in favour of the petitioner vide order dated 08.02.1993 and he has been regularly paying the installments and has also been in possession and enjoyment of the same. While so, the second respondent has approached the first respondent for transfer of the plot and hence, the petitioner made objections. Since it was not considered, the present Writ Petition.

4. The learned Standing Counsel for the first respondent would state that the representation of the petitioner dated 18.12.2011 would be considered in accordance with law.

5. In the light of the limited prayer sought for in the Writ Petition and the grievance expressed by the petitioner and also taking note of the submissions of the learned Standing Counsel for the first respondent, this Court, without going into the merits of the case, directs the first respondent to consider the representation of the petitioner dated 18.12.2011 and pass appropriate orders on merits and in accordance with the law, after providing opportunity to all necessary parties, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed of. There is no order as to costs. Consequently, the connected miscellaneous petitions are closed.
gsi/r n s

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

1.The Chairman,
Tamil Nadu Slum Clearance Board,
Estate Officer-II,
Arignar Anna Platinum Jubilee Building,
Chennai - 600 005.

+1cc to Mr.S.Prabhu, Advocate S.R.No.70347

KR/2/11/18

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