

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 24.09.2018
CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.21903 of 2018
and
WMP.No.25702 of 2009

- 1.T.Irusammal
- 2.N.Alamelu @ Dhanalakshmi
- 3.V.Eagavalli
- 4.T.Shankaralingam
- 5.T.Dharmalingam

... Petitioners

Vs

- 1.The Managing Director,
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Chennai - 600 005.
- 2.The Secretary cum Works Manager,
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Chennai- 600 005.
- 3.The Administrative Engineer,
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Chennai - 600 005.

.... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the second respondent herein to consider and pass orders on the petitioner representation dated 20.07.2018 and subsequently, to execute the sale deed vide plot bearing no.112, situated at MKB Nagar, Ambattur, Chennai-600 053 measuring an extent of 73.32 square meters in favour of the fourth respondent herein in within a stipulated time as fixed by this court.

For Petitioners : Mr.N.Elumalai
For Respondents : Mr.M.Rajasekhar

ORDER

By consent of both the parties, this writ petition is taken up for final disposal at the time of admission itself.

2.The prayer made in this writ petition is to issue a mandamus directing the second respondent to consider and pass orders on the petitioners' representation dated 20.07.2018.

3.According to the learned counsel for the petitioners, the third respondent, by his proceedings in Se.Mu.No.4120/A4/92 dated 26.02.1993, allotted a house bearing Plot No.112, MKB Nagar, Ambattur, Chennai-600 053 to the father of the petitioners 2 to 5 and the husband of the first petitioner viz., R.Thanusu Udiayar, who died on 06.04.1995. As per the terms and conditions stipulated in the said allotment order, the parents of the petitioners have paid the entire instalments. However, the second respondent has not executed a sale deed in respect of the aforesaid property. Hence, the petitioners submitted a representation dated 20.07.2018 to the second respondent, requesting to execute a sale deed in favour of the fourth petitioner, for which, the other petitioners have expressed their consent and the same is pending without any progress. Therefore, the petitioners are before this Court.

4.Heard the learned counsel for the respondents, who submitted that the second respondent would consider the representation of the petitioners on merits and in accordance with law within a time frame to be stipulated by this Court.

5.Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the second respondent to consider the representation of the petitioners dated 20.07.2018 and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioners, within a period of six weeks from the date of receipt of a copy of this order.

6.Accordingly, this writ petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

rk

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

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

2.The Secretary cum Works Manager,
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Chennai- 600 005.

3.The Administrative Engineer,
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Chennai - 600 005.

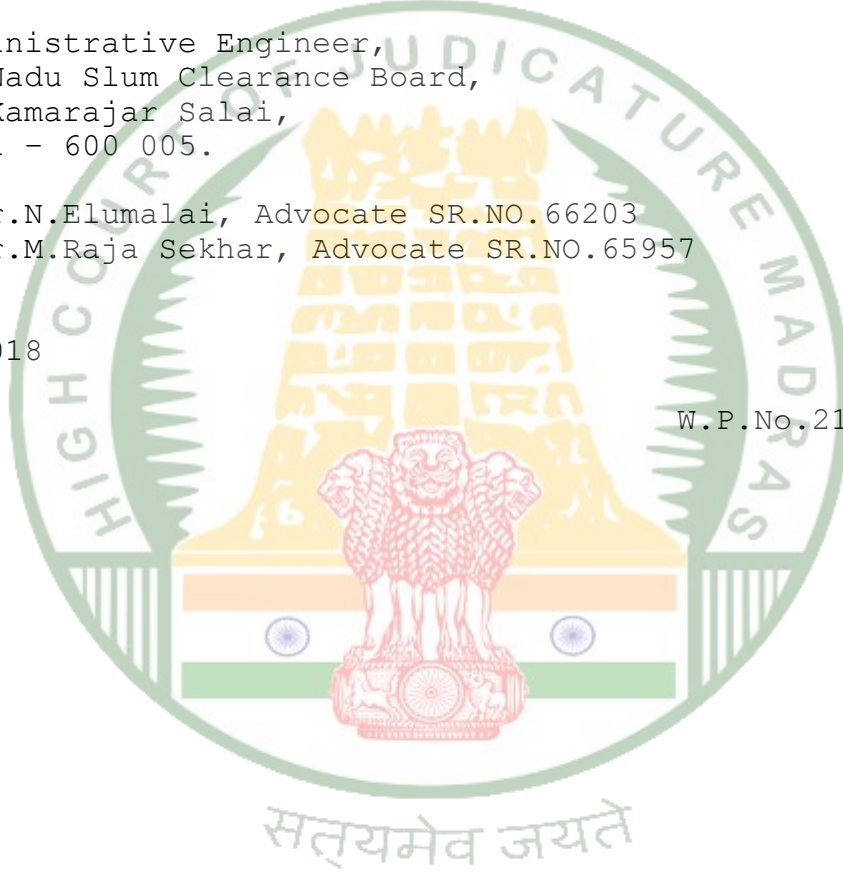
+1cc to Mr.N.Elumalai, Advocate SR.NO.66203

+1cc to Mr.M.Raja Sekhar, Advocate SR.NO.65957

VG-I (CO)

sm:2.11.2018

W.P.No.21903 of 2018



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