

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.11.2018

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.29929 of 2018
and W.M.P.Nos.34943 and 34939 of 2018

N.Vembuli

.. Petitioner

Vs.

1. The Principal Secretary / Chairman
Tamilnadu Slum Clearance Board
Government of Tamilnadu,
Chennai - 600 009.

2. The Managing Director,
Tamilnadu Slum Clearance Board,
No.5, Kamarajar Salai,
Chepauk, Chennai - 600 005.

3. Assistant Secretary (plots)
Tamilnadu Slum Clearance Board,
No.5, Kamarajar Salai, Chepauk,
Chennai - 600 005.

4. The Estate Officer VIII,
83rd Street, Sivalingapuram,
K.K.Nagar, Chennai 78.

5. The Sub Registrar of Ashok Nagar,
Sub Registrar Office,
Ashok Nagar, Chennai.

6. The Tahsildar,
Mambalam Taluk,
Bharathidasan Salai,
Chennai - 600 083.

7. Kamalakannan

8. Malligai Rajam

.. Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 4 to cancel the sale deed bearing document number 282/2018, dated 01.02.2018, registered before the 5th respondent in favour of respondents 7th & 8th and to direct the respondents 1 to 4 to execute the sale deed for an extent of 800 square feet situated at No.10A, Annal Gandhi Street, MGR Nagar, Chennai - 78, norther portion of plot No.1672 more fully described in sale deed bearing document number 1552/1988, dated 18.04.1988 before SRO, Kodambakkam.

For Petitioner : Mr.R.Rangarajan

For Respondents 1 to 6 : Mr.T.M.Pappaiah
Special Government Pleader

O R D E R

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

2. The petitioner has come up with this Writ Petition seeking a direction to the respondents 1 to 4 to cancel the sale deed bearing Document No.282/2018, dated 01.02.2018, registered before the fifth respondent in favour of the respondents 7 and 8 and to execute the sale deed for an extent of 800 square feet situated at No.10A, Annal Gandhi Street, MGR Nagar, Chennai - 78 in favour of the petitioner.

3. According to the learned counsel for the petitioner, the petitioner has submitted representations dated 11.06.2018 and 04.07.2018 seeking for cancellation of sale deed, but, the same are yet to be disposed of by the respondents. However, the learned counsel submitted that it would suffice, if the representation made by the petitioner is directed to be considered by the fifth respondent, on merits.

4. Heard Mr.T.M.Pappaiah, learned Special Government Pleader on behalf of respondents 1 to 6 who agrees for the same.

5. Considering the facts and circumstances of the case and the submissions made on either side, this Court, without expressing any opinion on the merits of the claim of the petitioner, directs the petitioner to file a fresh representation before the fifth respondent within a period of one week from the date of receipt of a copy of this order and the fifth respondent is directed to consider the said representation and pass appropriate reasoned orders, on merits and in accordance with law, after issuing notice to the petitioner, respondents 7 and 8 herein as well as any of the

interested parties and also after affording due opportunity of hearing to them within a period of six weeks thereafter.

6. With the above directions, this writ petition stands disposed of. No costs. Consequently connected miscellaneous petitions are also closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar
Srnr/av

To

1. The Principal Secretary / Chairman
Tamilnadu Slum Clearance Board
Government of Tamilnadu, Chennai - 600 009.
 2. The Managing Director,
Tamilnadu Slum Clearance Board,
No.5, Kamarajar Salai,
Chepauk, Chennai - 600 005.
 3. Assistant Secretary (plots)
Tamilnadu Slum Clearance Board,
No.5, Kamarajar Salai, Chepauk, Chennai - 600 005.
 4. The Estate Officer VIII,
83rd Street, Sivalingapuram,
K.K.Nagar, Chennai 78.
 5. The Sub Registrar of Ashok Nagar,
Sub Registrar Office, Ashok Nagar, Chennai.
 6. The Tahsildar,
Mambalam Taluk,
Bharathidasan Salai, Chennai - 600 083.
- +1 cc to Mr.R.Rangarajan, Advocate Sr.No.78555
+1 cc to The Government Pleader, Sr.No.79244

W.P.No.29929 of 2018
and W.MP.Nos.34943 and 34939 of 2018

srnr/av
CSL/08.01.2019