

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.08.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.19622 of 2010 &
M.P.No.1 of 2010

P.Vasuki

...Petitioner

Vs.

1.The Member Secretary,
Chennai Metropolitan Development Authority,
Egmore,
Chennai-600 008.

2.M/s.P.P.Traders,
Rep. by its Partner,
Mr.P.Prabakaran,
No.4, Indira Gandhi Street,
Kaveri Rangan Nagar,
Saligramam,
Chennai-600 093.

3.R.Harikrishnan

4.S.Rathna

.. Respondents

Prayer: The writ petition filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, to call for the records of the 1st respondent culminating into the proceedings No.K2/14809/2002 dated 13.10.2008 and to quash the same in the absolute interest of justice and consequently direct the first respondent to issue the sale deed for the Shop No.G-118, Periyar Vegetable Market, Koyambedu Wholesale Market Complex, Chennai.

For Petitioner : Mr.Dr.P.Vasudevan

For Respondents : Mr.S.Thiruvengadam for CMDA
Mr.K.V.Sundararajan for R3 &R4

O R D E R

The petitioner has filed this writ petition, seeking the following relief:-

"To writ of Certiorarified Mandamus, to call for the records of the 1st respondent culminating into the proceedings No.K2/14809/2002 dated 13.10.2008 and to quash the same in the absolute interest of justice and consequently direct the first respondent to issue the sale deed for the Shop No.G-118, Periyar Vegetable Market, Koyambedu Wholesale Market Complex, Chennai. "

2.Today, when the matter is taken up for hearing, the learned counsel for the petitioner would submit that one Rani, who is elder sister of the deceased M.A.Palani, has filed a suit in O.S.No.3528 of 2010 challenging the sale deed for the Shop No.G-118 before the City Civil Court, Chennai and the same is pending. The petitioner has also challenged the same issue as if she is the wife of the deceased M.A.Palani. Therefore, the learned counsel for the petitioner prays this Court that liberty may be granted to the petitioner to file a petition before the Civil Court for passing appropriate orders.

3. In view of the above, this writ petition is disposed of. However, liberty is granted to the petitioner to file a petition before the City Civil Court, Chennai where the suit in O.S.No.3528 of 2010 is pending and the respondents herein are also directed to file written statement in the said suit. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-)

//True Copy//

Sub Assistant Registrar

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To

The Member Secretary, सतयमेव जयते
Chennai Metropolitan Development Authority,
Egmore,
Chennai-600 008.

+1cc to Mr.Ramesh Rai Advocate, S.R.No.66873

+1cc to Mr.K.V.Sundararajan Advocate, S.R.No.67033

NRL (CO)
CB(12/09/2019)

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