

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.6753 of 2019

and

WMP.No.7556 of 2019

B.Gomathi

...Petitioner

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 Sali,
Chennai-600 005.

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

4.The Estate Officer
Estate Office No.3,
Tamil Nadu Slum Clearance Board
Thirumangalam, Chennai-600 040.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent herein to consider the petitioner's representation dated 08.02.2019 and subsequently, to execute the sale deed vide plot bearing No.166, situated at Mahakavi Bharathi Nagar, Ambattur, Chennai-600 053, measuring an extent of 96.08 square meters in favour of the petitioner herein.

For Petitioner : Mr.N.Elumalai
For Respondents: Mr.B.Kesavan
standing counsel

O R D E R

Mr.B.Kesavan, learned standing counsel takes notice for the respondents. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a mandamus directing the second respondent to consider her representation dated 08.02.2019, wherein and whereby, she sought for executing a sale deed in respect of the plot No.166, situated at Mahakavi Bharathi Nagar, Ambattur, Chennai-600 053, measuring an extent of 96.08 square meters in favour of the petitioner.

3. The petitioner claims that the third respondent by proceedings dated 26.02.1993 allotted the plot No.166, situated at Mahakavi Bharathi Nagar, Ambattur, Chennai-600 053, measuring an extent of 96.08 square meters and that she has paid the entire cost of the plot. The grievance of the petitioner is that even though she made the entire payment towards the cost of the plot, the respondent-Board has not come forward to execute the sale deed. Ventilating such grievance, the petitioner made a representation on 08.02.2019. Since the said representation has not been considered by the respondents so far, the present writ petition is filed with the relief as stated supra.

4. Heard both sides.

5. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner, as it is for the second respondent to consider and decide the same. Accordingly, this writ petition is disposed of, only by directing the second respondent to consider the representation of the petitioner dated 08.02.2019 and pass orders on the same on merits and in accordance with law, after hearing the petitioner and the other interested parties, if any. Such exercise shall be done by the second respondent within a period of six weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

mk

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 Sali,
Chennai-600 005.

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

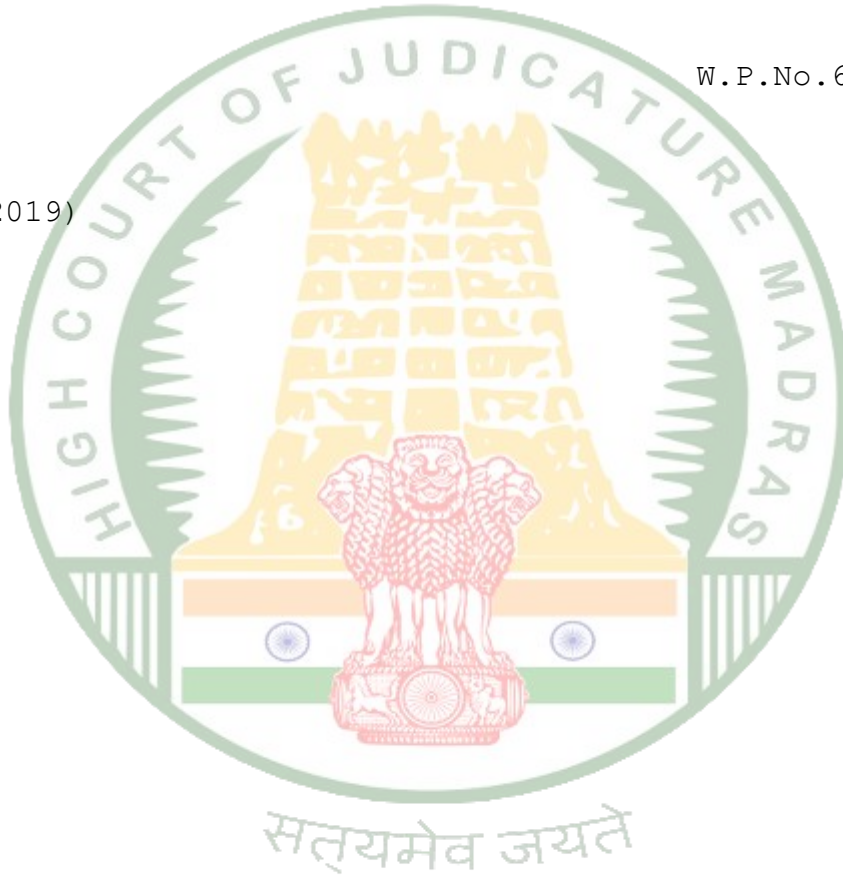
4.The Estate Officer
Estate Office No.3,
Tamil Nadu Slum Clearance Board
Thirumangalam, Chennai-600 040.

+1 CC to Mr.N.Elumalai, Advocate sr 22302.

+1 CC to Mr.B.Kesavan, Advocate sr 22312.

W.P.No.6753 of 2019

LN(CO)
SP(27/03/2019)



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