

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18.09.2019

Coram:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Writ Petition No.27681 of 2019

M/s Lalit Steel Suppliers
Partnership Firm
New No.5 (Old No.3-E),
Jones Street, 1st Floor,
Chennai 600 001.
represented herein by its
Managing Partner
Mr.Rakesh Kumar Jain

.. Petitioner

/versus/

1.Chief Metropolitan Development Authority
represented by its Member Secretary,
Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road, Egmore,
Chennai 600 008.

2.The Chief Executive Officer,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road, Egmore,
Chennai 600 008.

.. Respondents

Writ Petition filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus directing the respondents to grant No Objection Certificate to the petitioner for the purpose of transferring the property situate at Plot No.B-96 in the Iron and Steel Market Complex, Sathangadu Village admeasuring 883 sq.mt equivalent to 9505 sq.ft or there about, comprised in S.No.3/1A1A3 part, Block No.3, Ward No.D, T.S.No.6 part of Sathangadu Village, Thiruvottiur Taluk, Thiruvallur District within the Sub Registration District of Thiruvottiur and Registration District of North Chennai.

For Petitioner :Mr.R.J.Radhika

For Respondents :Mr.S.Thiruvengadam, Standing Counsel
for CMDA

O R D E R

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

2. Heard Mr.R.J.Radhika, learned counsel appearing for the petitioner and Mr.S.Thiruvengadam, learned standing counsel, who takes notice on behalf of the respondents.

3. Since the request in the writ petition is to consider the representation of the petitioner to issue No Objection Certificate to transfer the property in accordance with Clause 23 of the Sale Deed entered between the petitioner and Chennai Metropolitan Development Authority (in short "CMDA").

4. The contention of the petitioner is that on 06.08.2010, the CMDA allotted a vacant land in the Iron and Steel Market Complex called as "Sathangadu Iron and Steel Market" for wholesale Traders of Iron and Steel. As per the sale deed, the allottee cannot alienate the property to anybody else except a person in the iron and steel trade and also the concurrence of the authority is required for such transfer. Now, the petitioner has entered into the sale agreement with one P.K.Vaduvammal, who is also engaged in Iron and Steel business. Hence, vide letter dated 30.07.2019 the petitioner sought for No Objection Certificate to proceed with the sale of the property to the said P.K.Vaduvammal. The writ petition is filed, since the request for issuance of No objection Certificate is not yet issued by the respondents.

5.The learned standing counsel appearing for the respondents states that the request of the petitioner dated 30.07.2019 will be considered in accordance with the terms of sale deed and if it is in accordance with the terms and conditions, the request of the petitioner will be considered.

6. Recording the same, the writ petition is disposed of directing the first respondent to consider the request of the petitioner dated 30.07.2019 and pass orders in accordance with law as expeditiously as possible. No costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

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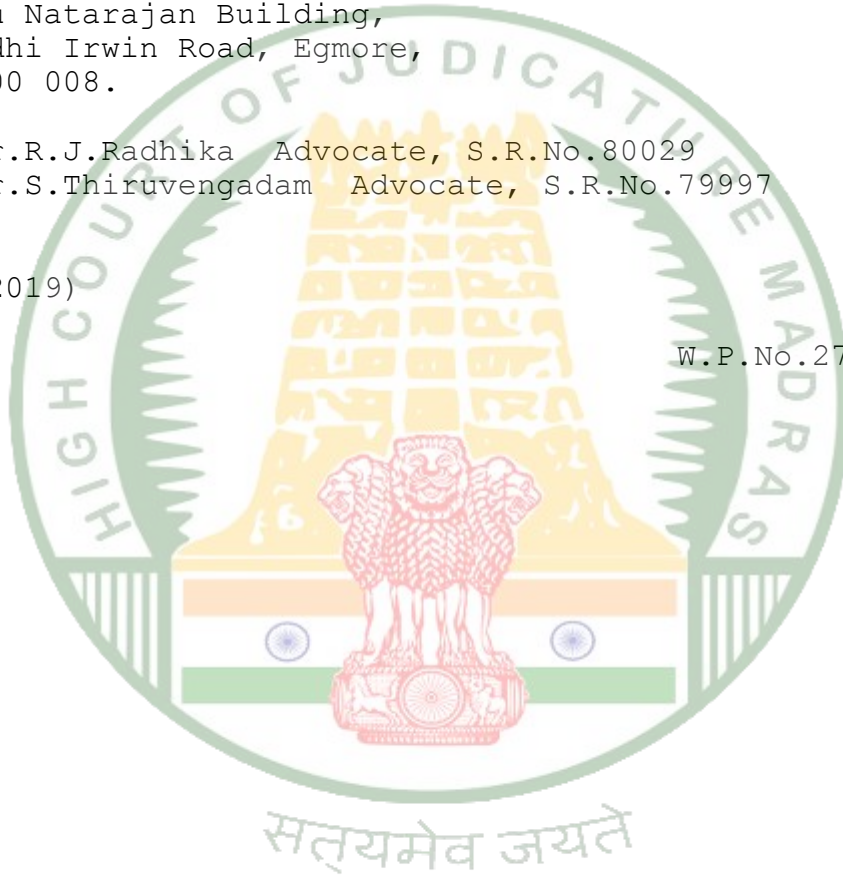
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+lcc to Mr.R.J.Radhika Advocate, S.R.No.80029
+lcc to Mr.S.Thiruvengadam Advocate, S.R.No.79997

NRL(CO)
CB(27/09/2019)

W.P.No.27681 of 2019



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