

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 29.01.2020

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. No.763 of 2020

S.Raja

.. Petitioner

Vs.

The Executive Engineer and Administrative Officer,
Anna Nagar Division,
Tamil Nadu Housing Board,
Chennai - 600 101.

... Respondent

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondent to consider the petitioner's representation on 11.07.2019 and provide a certified copy of original allotment order for Plot No.365, 8th Block, D-Type, Kodungaiyur, Phase-I Scheme bearing survey No.285 part, measuring 800 square feet at Kaviarasu Kannadasan Nagar, Chennai - 118.

For Petitioner : Mr.R.Muthu Krishnan

For Respondent : Ms.Diviya Prathika for
Mr.R.Bharath Kumar
Standing Counsel for TNHB

सत्यमेव जयते
O R D E R

This writ petition has been filed seeking for a direction to the respondent to consider the representation dated 11.07.2019 and provide a certified copy of original allotment order for Plot No.365, 8th Block, D-Type, Kodungaiyur, Phase-I Scheme bearing survey No.285 part, measuring 800 square feet at Kaviarasu Kannadasan Nagar, Chennai - 118.

2. In the affidavit filed in support of the writ petition, it has been stated that the petitioner has given a representation on 11.07.2019 seeking certified copy of original allotment order mentioned above. It is stated that the said

property was originally allotted to one R.Bakthavatchalu by the Tamil Nadu Housing Board by way of a lease cum sale agreement dated 06.12.1982. The said R.Bakthavatchalu also put up a construction over the property. Sale Deed was also executed on 19.04.1996 and the same was registered as Document No.2887 of 1996 in the office of Sub-Registrar, Sembium. Thereafter, on 30.11.1998, the said R.Bakthavatchalu sold the property to R.Jaganathan by way of a Sale deed registered as document No.7148 of 1998 in the office of Sub-Registrar, Sembium. The said R.Jaganathan executed a sale deed on 04.03.2003 in favour of the mother of the petitioner by name Mrs.Gajalakshmi and the same was registered as Document No.1455 of 2002 on the file of Sub-Registrar Office, Sembium. Unfortunately, the mother of the petitioner Mrs.Gajalakshmi died on 2.09.2012 and father of the petitioner had also died earlier on 01.01.2001. The petitioner is one of the legal heirs along with his brothers and sisters namely S.Shankar, S.Ravi, S.Selvi, S.Gelandran and S.Bharathiraja. The petitioner is the eldest male member and he took up the responsibility to take care of the family. The petitioner and all the other brothers and sisters have planned to sell the property. They, unfortunately found that there was no original allotment order. Hence, the petitioner gave a representation to the respondent on 11.07.2019 to provide a certified copy of original allotment order for Plot No.365, 8th Block, D-Type, Kodungaiyur, Phase-I Scheme bearing survey No.285 part, measuring 800 square feet at Kaviarasu Kannadasan Nagar, Chennai - 118. But, till date, the respondent had not passed any order on the said representation. Hence, the petitioner has come forward with this Writ Petition seeking for the aforesaid relief.

3. Today, Ms.Diviya Preathika, learned counsel appearing on behalf of the respondent, representing Mr.R.Bharathkumar, learned Standing Counsel for Tamil Nadu Housing Board, has given the certified copy of the allotment order to the learned counsel appearing for the petitioner Mr.R.MuthuKrishnan in open Court. Learned counsel for the petitioner has also received the same. In view of the fact that the grievance of the petitioner has been addressed, nothing survives for adjudication in this writ petition.

4. In view of the above, this writ petition is disposed of. No costs.

5. This Court appreciates Ms.Diviya Preathika representing Mr. R.Bharathkumar, learned Standing Counsel, appearing for the respondent Tamil Nadu Housing Board for handing over the certified copy of the allotment order before this court to Mr.R.Muthukrishnan, the learned counsel appearing for the petitioner as sought for.

Sd/-
Assistant Registrar(CS-III)

// True Copy//

Sub Assistant Registrar

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To

The Executive Engineer and Administrative Officer,
Anna Nagar Division,
Tamil Nadu Housing Board,
Chennai - 600 101.

+1cc to Mr.R.Bharathkumar, Advocate, SR.No.7801.
+1cc to Mr.R.Muthukrishnan, Advocate, SR.No.7527.

NMI (CO)
CSR: 27.02.2020

W.P. No.763 of 2020

सत्यमेव जयते
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