



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 01.06.2020
CORAM
THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
W.P.No.23813 of 2018

Jaya

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu Slum Clearance Board,
No.5,Kamarajar Salai,
Chennai - 600 005.

2.The Estate Officer - VIII,
Tamil Nadu Slum Clearance Board,
Sivalingapuram,
Kalainjar Nagar,
Chennai - 600 078.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 1 & 2 to execute and register sale deed in favour of the petitioner is premises bearing Plot No.499, Door No.22, Moongil Eri, Pammal Village, Chennai - 600 075, measuring an extent of 180.0 sq.m.

For Petitioner : Mr.T.Ramachandran

For Respondents : Mr.S.Prabhu
Additional Government Pleader

O R D E R

This writ petition has been filed for the issue of a Writ of Mandamus directing the respondents to execute a registered sale deed in favour of the petitioner.

2. The case of the petitioner is that she was allotted a plot as per the proceedings of the Slum Clearance Board dated 19.08.2005 and the total value was fixed at a sum of Rs.23,400/-. The further case of the petitioner is that as an allottee, the monthly installment was fixed at a sum of Rs.266/- starting from 01.03.2003 and the installment is payable over a period of ten years. According to the petitioner, the entire installments have been paid and a no objection certificate was also issued by the department for obtaining electricity



connection and also drainage and water connections.

3. The grievance of the petitioner is that the respondents have not taken any steps to register the sale deed in favour of the petitioner in spite of the entire dues paid by the petitioner. The petitioner has therefore made representation to the respondents on 28.05.2018. On receipt of the representation, the second respondent by letter dated 27.07.2018 has informed the petitioner that the representation will be considered only after the property is transferred in favour of the Slum Clearance Board. Even thereafter there was no development on the side of the Slum Clearance Board and aggrieved by the same, the present writ petition has been filed before this Court seeking for appropriate directions.

4. Heard Mr.T.Ramachandran, learned counsel appearing on behalf of the petitioner and Mr.S.Prabhu, learned Additional Government Pleader appearing on behalf of the respondents.

5. Taking into consideration the facts and circumstances of the case and also the fact that the petitioner has fulfilled all her obligations by paying the entire amount and the department having acknowledged the same and issued no objection certificate for getting electricity connection and also drainage and water connections, it will be the bounden duty of the respondents to expeditiously consider the request made by the petitioner to execute the sale deed in her favour.

6. As a result, this writ petition is disposed of with a direction to the petitioner to give a fresh representation to the respondents along with a copy of this order and the respondents are directed to consider the same and if the petitioner has fulfilled all the requirements, shall execute a sale deed in favour of the petitioner. This process shall be completed within a period of twelve weeks from the date of receipt of the petitioner's representation.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

nsd



To

1.The Managing Director,
Tamil Nadu Slum Clearance Board,
No.5,Kamarajar Salai,
Chennai - 600 005.

2.The Estate Officer - VIII,
Tamil Nadu Slum Clearance Board,
Sivalingapuram,
Kalainjar Nagar,
Chennai - 600 078.

W.P.No.23813 of 2018

aa07/07/2020