

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.12.2020

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.16987 of 2020
(Heard through VC)

M.Bhuvaneshwari

.. Petitioner

Vs.

1.The Chairman and Managing Director,
Tamil Nadu Housing Board,
No.493, Anna Salai,
YMCA College of Physical Education,
Nandanam, Chennai - 600 035.

2. The Executive Engineer and ADO,
Tamil Nadu Housing Board,
Anna Nagar, Chennai

.. Respondents

PRAYER: Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 11.02.2020 and not to release the Sale Deed in respect of the property in HIG Flat No.2, Ground Floor at Egmore near N.L.C to any other persons without informing the petitioner.

For Petitioner सत्यमेव जयते : Mr.T.Arul

For Respondents : Mr.R.Bharathkumar

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O R D E R

The writ petition has been filed seeking a direction to the respondents to consider the petitioner's representation dated 11.02.2020 and not to release the Sale Deed in respect of the property in HIG Flat No.2, Ground Floor at Egmore near N.L.C to any other persons without informing the petitioner.

2. It is stated that the petitioner's father-in-law Raju was originally allotted HIG Flat No.2, Ground Floor at

Egmore, Near N.L.C onn 20.04.1992, and subsequently, he died on 22.12.2007, leaving behind 5 legal heirs. The petitioner's husband, R.Muthukrishnan is also one of the legal heirs of the deceased Raju and he died on 15.01.2020, leaving behind the petitioner and two sons as his legal heirs. The legal heirship certificate was also obtained from the Deputy Tahsildar, Mysore District. During his lifetime, petitioner's father-in-law never transferred his allotment either in his wife's name or to his legal heirs. Thereafter, the petitioner came to know that the other legal heirs of the deceased father-in-law are trying to transfer the allotment and to release the sale deed, without her knowledge. In this regard, the petitioner's husband has also sent a representation dated 09.02.2012 to the second respondent, and the same is pending. According to the petitioner, if the said allotment is transferred to any other persons, she will be put to irreparable loss and hardship. Hence, the present writ petition has been filed.

3. Heard both sides and perused the materials available on record.

4. Considering the facts and circumstances of the case and the submissions made on either side, this Court, without expressing any opinion on the merits of the case, directs the respondents to consider the petitioner's representation dated 11.02.2020, enquire into the same and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner and the persons interested in this regard and by affording them an opportunity of personal hearing or virtual hearing, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

srn

To

- 1.The Chairman and Managing Director,
Tamil Nadu Housing Board,
No.493, Anna Salai,
YMCA College of Physical Education,
Nandanam, Chennai - 600 035.

2. The Executive Engineer and ADO,
Tamil Nadu Housing Board, Anna Nagar, Chennai.

+lcc to Mr.R.Bharathkumar, Advocate SR.38762

W.P.No.16987 of 2020

SV(CO)
CB(05/01/2021)



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