

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2020

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. No.35210 of 2019

and

W.M.P.No.35997 of 2019

Parameswari

...Petitioner

Vs

Tamil Nadu Slum Clearance Board,
Rep. by its Managing Director,
Kamarajar Salai, Chennai-600 005

... Respondent

Writ Petition filed under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondent Board herein to execute and register Sale Deed in her favour in respect of the plot of land bearing plot No.25, in Kambar Nagar Scheme, Ayyavoopuram, 10th Sector, 56th street, K.K.Nagar, Chennai-600 078, measuring an extent of 56 Sq.Mtrs., allotted to her by the respondent board under Allotment order dated Nil/01/1996 in ROC.No.32527/9

For Petitioner : Mr.A.Chidambaram

For Respondents : Mr.D.Latha for TNSCB

O R D E R

The Writ petition has been filed in the nature of Mandamus seeking a direction against the respondent board herein to execute and register Sale Deed in her favour in respect of the plot of land bearing plot No.25, in Kambar Nagar Scheme, Ayyavoopuram, 10 sector, 56th street, K.K.Nagar, Chennai-600 078, measuring an extent of 56 Sq.Mtrs., allotted to her by the respondent board under Allotment order dated Nil/01/1996, in ROC.No.32527/9 in January 1996. In the affidavit filed in support of the Writ Petition it has been stated by the petitioner that in the said Kambar Nagar Scheme, the respondent had plotted nearly 300 plots and allotted the same to various persons and the respondent had also executed and registered respective sale deeds. But unfortunately, insofar as the petitioner is concerned, the sale deed had not been executed and the reason stated by the respondent was that there was a suit filed in O.S.No.1391 of 2005 before the learned XIII Assistant City Civil Court, Chennai.

2.Learned counsel for the petitioner stated that the petitioner filed the suit only seeking protection from interference with possession and by judgment in S.A.No.71 of 2018, by an order dated 23.04.2019, this Court had decreed the suit in favour of the petitioner. Consequently, the litigation had ended.

3. In view of the same, there can be no impediment for executing the sale deed. The petitioner also claims to have paid all the amounts due and payable to the Respondent Board.

4.In the result of the Writ Petition stands allowed and a Mandamus is issued directing the respondent to execute and register the sale deed if the petitioner had satisfied all obligations and such sale deed should be exempted and registered on or before 14.02.2020.

5.With the above observation, the Writ Petition stands allowed. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar (CS-III)

//True copy//

Sub Assistant Registrar

vsn

To

The Managing Director,
Tamil Nadu Slum Clearance Board,
Kamarajar Salai, Chennai-600 005

+1cc to Mr.A.Chidambaram, Advocate SR.No.4466

+1cc to Ms..D.Latha, Advocate SR.No.4902

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GMY (04/02/2020)