



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.8826 of 2021

K.Sathyamoorthy

... Petitioner

Vs.

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

... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to execute the sale deed with respect to the property admeasuring 81 square meter of house site bearing Plot No.246, Nehru Nagar 1st Street, Villivakkam, Chennai-49 comprised in Survey No.373/2 consequent to the Allotment proceedings bearing Na.Ka.No.B3/22988/04 dated 10.01.2005 and based on the entire payment made in respect of the above property.

For Petitioner : Mr.T.K.Kulasekaran

For Respondent : Mr.Silambanan
Additional Advocate General
Assisted By
Mr.S.Prabhu
TNSCB

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondent to execute the sale deed with respect to the property admeasuring 81 square meter of house site bearing Plot No.246, Nehru Nagar 1st Street, Villivakkam, Chennai-49 comprised in Survey No.373/2 consequent to the Allotment proceedings bearing Na.Ka.No.B3/22988/04 dated 10.01.2005 and based on the entire payment made in respect of the above property.



2.The case of the petitioner is that the petitioner's mother was allotted Plot No.246, admeasuring 81 square meter of house site under the World Bank Scheme. Thereafter the entire sale price of Rs.3140/- with a further sum of Rs.1920/- + Rs.90/- Plus Rs.10/- totalling Rs.5160 was paid on 20.11.1995. Even after payment of the entire sale price and maintenance charges, the respondent did not come forward to execute sale deed. Hence the petitioner has filed this writ petition.

3.The learned counsel appearing for the petitioner would submit that there is no legal impediment to execute sale in favour of the petitioner by the Tamil Nadu Slum Clearance Board. Hence, this Court may issue direction to the Tamil Nadu Slum Clearance Board to execute the sale deed in favour of the petitioner within a reasonable time frame.

4.The learned Additional Advocate General appearing for the respondent would submit that the sale deed will be executed in favour of the petitioner within a period of five months from the date of receipt of a copy of this order.

5.In view of the consent view expressed by the learned Additional Advocate General appearing for the respondent, this Court directs the respondent to execute sale deed in favour of the petitioner, since there is no dispute with regard to the payment to the Tamil Nadu Slum Clearance Board as the petitioner has paid the entire sale price including the maintenance charges during the year 1995 itself, within a period of five months from the date of receipt of a copy of this order. This writ petition is accordingly disposed of. No costs.

Sd/-
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

pri



To

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

+lcc to M/s.T.K.Kulasekaran, Advocate, S.R.No.61773

W.P.No.8826 of 2021

KSM(CO)
SU(13/12/2021)