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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.08.2021

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

W.P NO.10295 OF 2021

Mrs.P.Thavamani @ Seetha Paramasivam

... Petitioner

Vs.

1.The Member Secretary,
Chennai Metropolitan Development Authority,
No.1, Gandhi Irwin Road, Egmore,
Chennai - 600 008.

2.The Chief Administrative Officer,
Chennai Metropolitan Development Authority,
Market Management Committee,
Koyambedu Wholesale Market Complex,
Koyambedu, Chennai - 600 092.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first respondent to execute and register the sale deed to and in favour of the petitioner herein pertaining to the Shop No.T/A-69, NGT, Type "B-4" Anna Fruit Market Koyambedu Wholesale Market Complex, Koyambedu, Chennai-600 092.

For Petitioner : Mr.V.B.Thirupathi Kumar

For Respondents: Mr.P.Tamilmani
Standing Counsel

ORDER

This writ petition has been filed for a direction to the 1st respondent to execute and register a sale deed in favour of the petitioner pertaining to Shop No.T/A-69, N.G.T, Type "B-4", Anna Fruit Market, Koyambedu Wholesale Market Complex, Koyambedu, Chennai 600 092.

2. According to the petitioner, the shop was allotted in her name through an order passed by the 1st respondent dated



11.01.1988 and all the formalities have been completed and in spite of the same, the sale deed was not executed in favour of the petitioner.

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3. During pendency of this writ petition, the petitioner had expired leaving behind two sons and one daughter. The learned counsel for the petitioner submitted that the two sons have no objection in permitting the allotment and the sale deed to be executed in favour of one Mrs.Latha, who is the daughter of the deceased petitioner. The learned counsel further submitted that the necessary death certificate and legal heirship certificate along with no objection letter will be submitted before the respondents.

4. The learned Standing counsel appearing on behalf of the respondents submitted that if all the necessary documents are furnished to the respondents and there is no dispute among the legal heirs, the necessary allotment and sale deed will be made in favour of the legal heir of the deceased petitioner.

5. In view of the above, this writ petition is closed by issuing a direction to the legal heirs of the deceased petitioner to make a fresh representation to the respondents along with all the relevant documents and seek for the allotment and execution of the sale deed in favour of one of the legal heir of the deceased petitioner. The respondents are directed to scrutinise the same, within a period of four weeks from the date of receipt of the representation from the legal heirs of the deceased petitioner. No costs.

s/d-
Assistant Registrar(CS VII)

True Copy

Sub-Assistant Registrar

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To

1.The Member Secretary,
Chennai Metropolitan Development Authority,
No.1, Gandhi Irwin Road, Egmore,
Chennai - 600 008.



2. The Chief Administrative Officer,
Chennai Metropolitan Development Authority,
Market Management Committee,
Koyambedu Wholesale Market Complex,
Koyambedu, Chennai - 600 092.

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+2cc to M/S.V.B.Thirupathikumar, Advocate, SR.No.37985

+1cc to M/S.P.Tamilmani, Advocate, SR.No.37897

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SPD (CO)

PM(07/09/2021)