

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.03.2021

CORAM:

THE HONOURABLE MR. JUSTICE C.SARAVANAN

W.P.No.31709 of 2014

and

W.M.P.Nos.1 of 2014 & 19135 of 2017

G.Raniammal

... Petitioner

Vs.

1.The Chennai Metropolitan Development Authority,
Rep by its Member - Secretary,
No.1, Gandhi Irwyn Road,
Egmore, Chennai - 8.

2.The Chennai Metropolitan Development Authority,
Rep by its Chief Executive Officer,
No.1, Gandhi Irwyn Road,
Egmore, Chennai -8.

3.S.Manivannan

... Respondents

PRAYER:- Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of Writ of Certiorarified Mandamus, to call for the records of the 1st and 2nd Respondents in their Letter No.K4/17688/99 dated 14.08.2000 and their consequential Letter No.K4/4240/2013 dated 12.11.2014, insisting upon handing over the shop No.B-53, only to the allottee and quash the same and consequently direct the respondents to handover the shop B53 to the petitioner herein in accordance with law.

For Petitioner : Mr.D.S.Rajasekaran

For Respondents : Mr.P.Tamilmani
Standing Counsel for R1 & R2

O R D E R

The petitioner has filed the present writ petition for a writ of certiorarified mandamus to call for the records of the 1st and 2nd Respondents in their Letter No.K4/17688/99 dated 14.08.2000 and their consequential Letter No.K4/4240/2013 dated 12.11.2014, insisting upon handing over the shop No.B-53, only

to the allottee and to quash the same and consequently direct the respondents to handover the shop B53 to the petitioner herein in accordance with law.

2.Mr.P.Tamilmani, learned Standing Counsel for the 1st and 2nd respondent submits that the shop will be handed over to the petitioner, if the petitioner obtains appropriate no objection certificate from the Market Management Committee to the effect that there are no dues in respect of the shop.

3.Recording the same, this writ petition stands disposed. The petitioner is directed to obtain no objection certificate from Market Management Committee within a period of six weeks from the date of receipt of a copy of this order. On production of such certificate from the Market Management Committee, the 1st and 2nd respondents shall hand over to the shop to the petitioner without prejudice to the rights of the 3rd respondent original allottee.

4.This Writ Petition stands disposed with the above observations. No costs. Consequently, connected Miscellaneous Petitions are also closed.

-s/d-
Assistant Registrar

True Copy
Sub-Assistant Registrar

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To

1.The Member Secretary
Chennai Metropolitan Development
Authority, No.1, Gandhi Irwyn Road,
Egmore, Chennai-08

2.The Chief Executive Officer
Chennai Metropolitan Development Authority
No.1, Gandhi Irwyn Road, Egmore,
Chennai-08

+1 cc to Mr.D.S.Rajasekaran Advocate sr15925

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