



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2021

WEB COPY

CORAM:

THE HON'BLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P. No.20943 of 2021
and
W.M.P. Nos. 22213 & 22214 of 2021

R. Mahalakshimi, ... Petitioner

-Vs-

- 1.The State of Tamilnadu
Rep by its Secretary,
Tamilnadu Housing and Urban Department,
Fort St. George, Chennai-600009.
2. The Chairman,
Tamilnadu Housing Board Department,
CMDA Complex, E&C Market Road,
Koyambedu, Chennai-600 107.
3. The Managing Director,
Tamilnadu Housing Board Department
CMDA Complex, E&C Market Road,
Koyambedu, Chennai-600 107
4. The District Registrar,
Tamilnadu Registration Department,
Chepauk, Chennai-600 005
5. The Deputy Registrar,
Tamilnadu Registration Department,
Chennai Konnur Sub-Registrar,
CTH Road, Ambatur,
Chennai-600 053.
- 6 A. Santhanakrishnan
7. T. Rani ... Respondents

PRAYER: This Petition is filed under Article 226 of the Constitution of India, praying for to issue Writ of Certiorarified Mandamus or any other appropriate Writ, Order or



3. The learned Government Advocate for the respondents 1,3,4 & 5 would submit that the petitioner's mother has executed Settlement Deed vide Document No.1717, dated 27.05.2020 in her son's favour since the property was allotted in the name of the petitioner's mother for total price consideration of a sum of Rs.1919/- by the TamilNadu Housing Board. Hence, the petitioner is entitled to execute settlement Deed as per her inclination.

4. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents as well as perused the material available on records.

5. On a perusal of the records, it is seen that the property has been purchased by the petitioner's mother after paying necessary sale consideration as required by the Tamil Nadu Housing Board vide Sale Deed Document No.2279 dated 30.05 1997 wherein there are no details in the payment of sale consideration, whether the petitioner's father or petitioner has paid some amount or whole amount for purchase of the said property. Under such circumstances, this Court is not inclined to interfere with the Settlement Deed executed in favour of the petitioner's brother. However, the petitioner is at liberty to approach the Authority concerned to claim her share in the said property if she proves her right in the said property.

6. In the result, the Writ petition is dismissed accordingly. Consequently, connected miscellaneous petition is closed if any. There shall be no order as to costs.

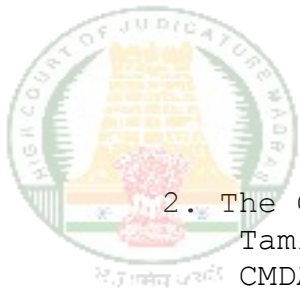
SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

Lbm
To

1. The Secretary,
State of Tamilnadu
Tamilnadu Housing and Urban Department,
Fort St. George,
Chennai-600009.



2. The Chairman,
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CMDA Complex, E&C Market Road,
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CTH Road, Ambatur,
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+lcc to Mr.K.Prabhakaran, Advocate Sr.51530

+lcc to the Government pleader Sr.51600

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srg 20/12/2021