

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 23.03.2021

CORAM

THE HONOURABLE MR. JUSTICE S.S.SUNDAR

W.P.No.9000 of 2016

V.Kannappan

... Petitioner

Vs.

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

2.The Chief Executive Officer,
Chennai Metropolitan Development Authority,
No.1, Gandhi- Irwin Road,
Egmore, Chennai-600 008.

... Respondents

Prayer: Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents to execute the sale deed in favour of petitioner in respect of the Ready built house allotted to the petitioner bearing Door No.13/3, N.H.1., L.L.I.G., Vallal Seethakadhi Street, Marai Malai Nagar, Kanchipuram District, Pin Code 603 209, within the time frame fixed by this Court.

For Petitioner : Mr.J.Kannan

For Respondents: Mr.P.S.Ganesh
Standing Counsel for CMDA

ORDER

This writ petition is filed for issuance of Writ of Mandamus, to direct the respondents to execute the sale deed in favour of the petitioner in respect of the ready built house allotted to the petitioner bearing Door No.13/3, N.H.1., L.L.I.G., Vallal Seethakadhi Street, Marai Malai Nagar, Kanchipuram District, Pin Code 603 209.

2.The respondent herein issued an allotment order in favour of the petitioner in respect of a ready built house at Vallal Seethakadhi Street, Marai Malai Nagar, Kanchipuram District. The respondent executed a Lease-Cum-Sale agreement in favour of the petitioner in respect of the house. Based on the agreement the petitioner has been put into possession of the said house. Thereafter, the petitioner has been regularly

paying the monthly installments to the respondents without any default.

3.In the counter affidavit filed by the respondents, it is stated that a sum of Rs.69,988/- has to be remitted by the petitioner as on 31.01.2021 for issuance of sale deed.

4.The learned counsel for the petitioner submitted that the petitioner is ready and willing to pay the additional amount and get the sale deed, if the respondents execute the sale deed.

5.Without expressing any opinion on the merits, this Court direct the petitioner to pay a sum of Rs.69,988/- with interest from 31.12.2020 till the date of payment within a period of two weeks from the date of receipt of a copy of this order. Upon the petitioner remitting the said sum, the respondents are directed to execute the sale deed in favour of the petitioner in respect of the house that was allotted to the petitioner within a period of eight weeks from the date of payment.

With the above directions, the writ petition is disposed of. No Costs.

Sd/-

Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

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Copy to

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

2.The Chief Executive Officer,
Chennai Metropolitan Development Authority
No.1, Gandhi- Irwin Road,
Egmore, Chennai-600 008.

+1cc to M/s.J.Kannan, Advocate SR.18690
+1cc to M/s.P.S.Ganesh, Advocate SR.19413

W.P.No.9000 of 2016

AAB (CO)
CB(26/03/2021)