



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.10.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. No. 21599 of 2021

P.V. Jessy Francis

..Petitioner

Versus

1. The Managing Director
Tamil Nadu Slum Clearance Board
(Now renamed as)
Tamil Nadu Urban Habitat Development Board
No. 5, Kamarajar Salai
Chepauk, Chennai - 600 005

2. Estate Officer
Estate Office No.3
Tamil Nadu Slum Clearance Board
(Now renamed as)
Tamil Nadu Urban Habitat Development Board
Thirumangalam
Chennai - 600 040

..Respondents

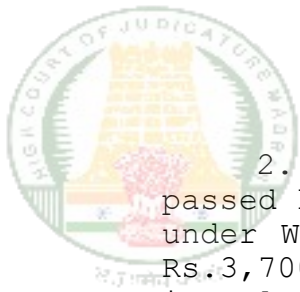
PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to execute and register a sale deed in favour of the petitioner premises bearing Plot No. 412, Door No.8/40, measuring 0.95sq.mt., situated at 10th Street, Padi Pudhu Nagar, Anna Nagar West Extension, Chennai - 600 101 allotted in the name of the petitioner through allotment order bearing No. செ.மு.எண்.21739/இ.ந/95 dated 07.11.96 by the 1st respondent

For Petitioner : Ms.Malini George

For Respondents : Mr.M. Rajasekar for R1 & R2

O R D E R

This writ petition has been filed for a mandamus directing the first respondent to execute and register a sale deed in favour of the petitioner in respect of the plot bearing No.412, Door No.8/40, measuring to an extent of 0.95sq.mt., situated at 10th Street, Padi Pudhu Nagar, Anna Nagar West Extension, Chennai - 600 101, which was allotted to her through allotment order bearing No.Se.Mu.21739/E.Na/95 dated 07.11.96 issued by the 1st respondent.



2. According to the petitioner, by order dated 07.11.1996 passed by the first respondent, she was allotted the subject plot under World Bank Scheme and the sale consideration was fixed at Rs.3,700/- with a condition to pay the same on monthly instalment at Rs.42/-. Subsequently, she was issued with No Objection Certificate for availing housing loan, to construct a house in the said allotted plot, electricity service connection, water and sewerage connection etc. Thereafter, the petitioner paid the entire instalments and received no due certificate for executing the sale deed in her favour. However, no sale deed was executed by the respondent authorities till date and the repeated representations sent by the petitioner in this regard, yielded no fruitful result. Therefore, this writ petition.

3. The learned counsel for the petitioner submitted that after having paid the entire sale consideration, the petitioner made several representations to the respondent authorities to execute a sale deed in her favour, in respect of the subject plot, but the said request was not considered, till date. Hence, the learned counsel prayed for appropriate direction to the respondent authorities, taking note of the petitioner's last representation dated 29.07.2021.

4. On the other hand, the learned counsel for the respondents submitted that the respondent authorities would consider the petitioner's representation and pass orders, on merits, within a time frame to be stipulated by this court.

5. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this court directs the respondent authorities to consider the representation of the petitioner dated 29.07.2021 and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of hearing to the petitioner, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above said direction, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

dhk



To

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+3cc to Mrs.Malini George, Advocate, S.R.No.53011

WP No. 21599 of 2021

VBM(CO)
RGA(27/10/2021)