

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.01.2021

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.18861 of 2020

N.V.Banumathi

..Petitioner

Vs.

1.The Chairman,
Tamil Nadu Housing Board,
No.493, Anna Salai,
Nandanam,
Chennai-600 035.

2.The Executive Engineer cum Administrative Officer,
K.K.Nagar Division,
Tamil Nadu Housing Board,
Anna Nagar,
Chennai-102.

..Respondents

Petition filed under Article 226 of The Constitution of India praying for issuance of a Writ of Mandamus to direct the respondents herein to consider the petitioner's representation dated 21.10.2020 and pass appropriate orders as per law as this Court may deem fit and proper in the circumstances of the case.

For Petitioner ... Mr.Pradeep Jayaraman

For Respondents.. Mr.R.Bharath Kumar, Standing counsel

ORDER

This Writ Petition has been filed, for a Mandamus seeking for a direction to the respondents to consider the petitioner's representation dated 21.10.2020 and pass final orders within a time frame to be fixed by this Court.

2. It is the case of the petitioner that her elder sister, Ms. N.V.Kasthuri was allotted vacant site by the first respondent in the year 1968. According to the petitioner, the said N.V.Kasthuri has also paid the entire sale consideration in the year 1988. It is the case of the petitioner that her sister N.V.Kasthuri died on 27.03.1992. However, despite payment of the entire sale consideration, no sale deed was executed and registered by the first respondent in favour of the petitioner's

sister N.V.Kasthuri even during her life time. According to the petitioner, till date also, no sale deed has been executed by the first respondent. The petitioner claims that since her sister N.V.Kasthuri died as spinster, she is the only sole surviving legal heir of the deceased. Therefore, the petitioner gave a representation on 21.10.2020 to the respondents, requesting them to execute a sale deed in her favour in respect of the vacant site allotted to her sister, N.V.Kasthuri, who died on 27.03.1992. According to the petitioner, till date the said representation has not been considered. In such circumstances, this Writ Petition has been filed.

3. Heard Mr.Pradeep Jayaraman, learned counsel for the petitioner and Mr.R.Bharath Kumar, learned Standing counsel appearing for the respondents.

4. On instructions, the learned Standing counsel appearing for the respondents would submit that the respondents are willing to consider the petitioner's representation dated 21.10.2020 seeking for execution of sale deed in her name in respect of the allotment of the house site made in favour of her sister N.V.Kasthuri, who died on 27.03.1992. No prejudice will be caused to the respondents if the representation of the petitioner is considered by them on merits and in accordance with law.

5. For the foregoing circumstances, this Court directs the second respondent to consider the petitioner's representation dated 21.10.2020 seeking for execution and registration of the sale deed in her name in respect of the allotment of house site made in favour of her sister N.V.Kasthuri, i.e. property bearing Plot No.174, 10th Street, II Sector, TNHB, K.K.Nagar, Chennai comprising in S.No.394/1 in Kodambakkam Village, SRO, Ashok Nagar and pass final orders on merits and in accordance with law within a period of 12 weeks from the date of receipt of a copy this order.

6. With the aforesaid direction, the Writ Petition is disposed of. No costs.

s/d-

Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

dn

To

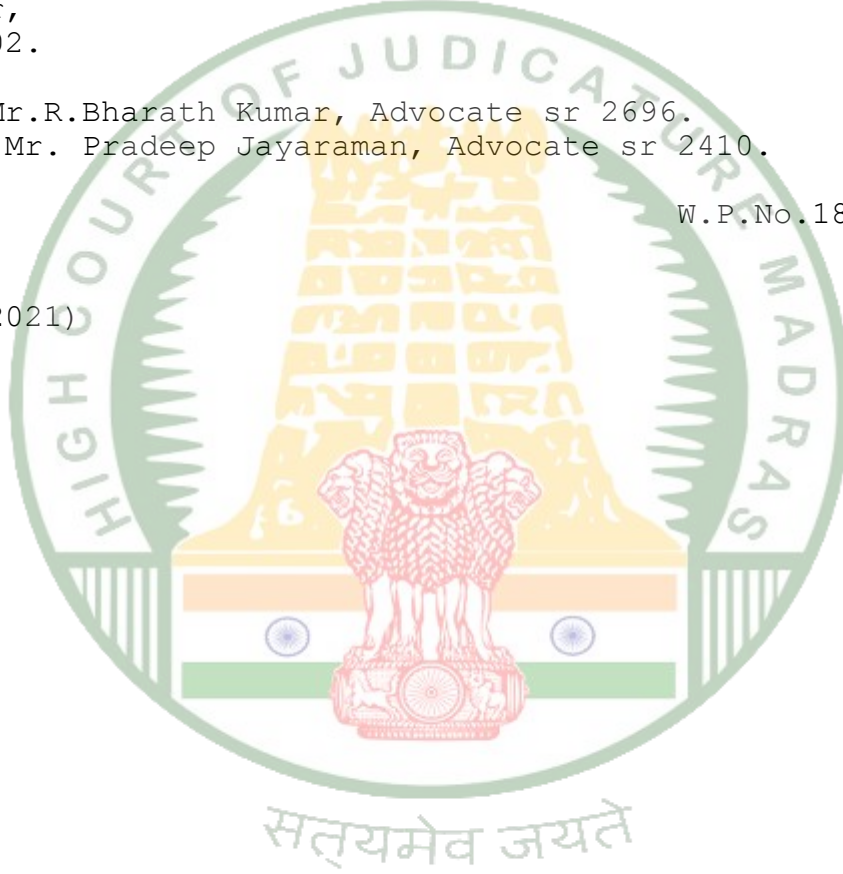
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+1 CC to Mr.R.Bharath Kumar, Advocate sr 2696.
+3 Ccs to Mr. Pradeep Jayaraman, Advocate sr 2410.

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SP(29/01/2021)



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