



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.05.2022

CORAM :

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P. NO. 12215 OF 2022

M. Selvi

.. Petitioner

Versus

The Chairman,
Tamil Nadu Slum Clearance Board,
05, Kamarajar Salai,
Chennai - 600 005.

.. Respondent

Petition filed under Article 226 of the Constitution of India praying to issue a WRIT OF MANDAMUS directing the respondent herein to consider the petitioner's representation dated 17.02.2022 and to pass order on petitioner's representation in accordance with law.

For Petitioner	:	Mr.M.Ganesh
For Respondent	:	Mrs. Anitha Special Government Pleader

O R D E R

The writ petition has been filed for issuance of a Writ of Mandamus directing the respondent to consider the petitioner's representation dated 17.02.2022 and to pass orders thereon in accordance with law.

2. According to the petitioner, the Government of Tamil Nadu has passed G.O.No.804, dated 23.09.1993 allotting house sites for slum dwellers. The petitioner was one of the beneficiaries of the said Government Order and the respondent allotted the land in Plot No.323 situated at Thillaiyadi Valliammai Nagar, Chennai - 600 040, admeasuring 0.84.0 sq.m., by the respondent vide Allotment Order in Na.Ka.No.2165/96/E3, dated 26.02.1996. The petitioner claims that she has paid the entire sale consideration and she is in continuous possession



and enjoyment of the premises, right from the date of allotment in the year 1996.

3. The grievance of the petitioner is that though the petitioner has paid the entire sale consideration and is in continuous possession and enjoyment of the property, the respondent has not executed the sale deed in her favour, despite several representations made in this regard. The petitioner also states that earlier she has filed a writ petition in W.P.No.2750 of 2013 to direct the respondent to execute sale deed in her favour and this Court, by order dated 06.03.2013 in W.P.No.2750 of 2013, directed the respondent to arrange for execution of sale deed in respect of Plot No.323 situated at Thillaiyadi Valliammai Nagar, Chennai - 600 040, within a period of two months from the date of receipt of a copy of the order. However, the respondent has not executed the sale deed so far. Therefore, the petitioner submitted a representation, dated 17.02.2022, to the respondent reiterating her request to execute the sale deed in her favour. Since the said representation, dated 17.02.2022, also did not evoke any response, she has filed the present writ petition.

4. The learned counsel for the petitioner, reiterating the averments made in the affidavit filed in support of the writ petition, submitted that the respondent may be directed to consider the petitioner's representation, dated 17.02.2022 and to pass orders thereon within a time limit that may be specified by this Court.

5. Mrs. Anitha, learned Special Government Pleader, who takes notice for the respondent, has no serious objection in granting such relief to the petitioner.

6. Considering the facts and circumstances of the case more particularly that despite the order of this Court, dated 06.03.2013, made in W.P.No.2750 of 2013, sale deed has not been executed so far in favour of the petitioner and the periodical representations made by the petitioner in this regard have not been considered and the final representation dated 17.02.2022 also remains unattended, this Court directs the respondent to consider the representation of the petitioner, dated 17.02.2022, and pass orders on merits and in accordance with law, after affording opportunity of personal hearing to the petitioner, within a period of four weeks from the date of receipt of a copy of this order.



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7. With the above direction, this writ petition stands disposed of. No costs.

Sd/-
Vacation Officer

//True Copy//

Sub Assistant Registrar

mkn/rsh

To

The Chairman,
Tamil Nadu Slum Clearance Board,
05, Kamarajar Salai,
Chennai - 600 005.

+1cc to Mr.M.Ganesh, Advocate, S.R.No.31335
+1cc to the Government Pleader, S.R.No.31268

WP No.12215 of 2022

JPL(CO)
PR/20/05/2022