



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.14218 of 2022

Rajalakshmi

... Petitioner

vs.

1.The Tamil Nadu Housing Board,
Represented by its Chairman,
CMDA Complex, E&C Market Road,
Koyambedu, Chennai - 600107.

2.The Manager,
Tamil Nadu Housing Board,
(Allottee Service),
Coimbatore Housing Unit,
Tatabad, HUDCO Colony,
Coimbatore - 641 012.

...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India for writ of Mandamus directing the respondents to execute sale deed in favour of the petitioner in respect of the Housing Plot No.142, Block I to IV, MIG-A, Ganapathy Neighbourhood Scheme, Ganapathy, Coimbatore measuring an extent of 1425 sq. ft., within a reasonable time as may be fixed by this Court.

For Petitioner : Mr.A.E.Ravi Chandran

For Respondents: Mr.D.Veerasekaran

ORDER

This writ petition has been filed for a mandamus seeking for a direction to the respondents to execute sale deed in favour of the petitioner in respect of housing plot No.142, Block I to IV, MIG-A, Ganapathy Neighbourhood Scheme, Ganapathy, Coimbatore measuring an extent of 1425 sq. ft. within a reasonable time to be fixed by this Court.



WEB COPY

2. Mr.D.Veerasekaran, learned standing counsel accepts notice on behalf of the respondents. By consent of both parties, this writ petition is taken up for final disposal in the admission stage itself.

3. Heard Mr.A.E.Ravi Chandran, learned counsel for the petitioner and Mr.D.Veerasekaran learned standing counsel appearing for the respondents.

4. The petitioner's grievance is that she has paid the entire sale consideration, but till date, sale deed has not been executed and registered in her favour by the respondents. According to the petitioner, as seen from the documents filed along with this writ petition, the respondents have been evading the execution of sale deed on the ground that the original land owners from whom the land was acquired by the respondents are seeking for higher compensation. At this stage, this court is of the considered view that a positive direction cannot be issued as prayed for in this writ petition.

5. Learned Standing Counsel appearing for the respondents has not raised any serious objection for considering the representation of the petitioner dated 16.04.2022 requesting the respondents to execute sale deed for the aforementioned property on merits and in accordance with law after affording a fair opportunity to the petitioner including granting her the right of personal hearing.

6. Learned counsel for the petitioner would submit that the petitioner who is a 74 years old lady is also willing to pay the final cost as demanded by the respondents for getting the sale deed executed in her favour.

7. No prejudice would be caused to the respondents, if the petitioner's representation dated 16.04.2022 seeking for execution of sale deed in her name is considered on merits and in accordance with law.

8. For the foregoing reasons, this Court directs the first respondent to pass final orders on the petitioner's representation dated 16.04.2022 requesting the respondents to execute sale deed in her favour for the property bearing house plot No.142, block I to IV, MIG, Ganapathy Neighbourhood Scheme, Ganapathy, Coimbatore measuring an extent of 1425 sq. ft. within a period of twelve weeks from the date of receipt of a copy of this order, after affording a fair hearing to the petitioner including granting her the right of personal hearing.



WEB COPY

9. With the aforesaid direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True copy//

Sub Assistant Registrar

nl

To

1.The Chairman,
The Tamil Nadu Housing Board,
CMDA Complex, E&C Market Road,
Koyambedu, Chennai - 600107.

2.The Manager,
Tamil Nadu Housing Board,
(Allottee Service),
Coimbatore Housing Unit,
Tatabad, HUDCO Colony,
Coimbatore - 641 012.

+1cc to Mr.D.Veerasekaran, Advocate SR.No.32963

+1cc to Mr.A.E.Ravi Chandran, Advocate SR.No.32844

W.P.No.14218 of 2022

RSI (CO)
GMY (20/06/2022)