



W.A.No.1629 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 11.07.2022

Coram:

THE HONOURABLE MR.MUNISHWAR NATH BHANDARI, CHIEF JUSTICE
and
THE HONOURABLE MRS.JUSTICE N.MALA

W.A.No.1629 of 2022
and
C.M.P.No.11001 of 2022

--

1. The Secretary to Government of Tamil Nadu,
Housing and Urban Development Department,
Secretariat, Fort St.George,
Chennai-600 009.
2. The Principal Secretary to Government/Chairman,
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Chennai-600 005.
3. The Chairman/Managing Director,
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai, Chennai-600 005.
4. The Secretary-cum-Works Manager,
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai, Chennai-600 005.
5. The Administrative Engineer,
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai, Chennai-600 005.
6. The Estate Officer,
Estate Office No.3,
Tamil Nadu Slum Clearance Board,
Thirumangalam, Chennai-600 040.

.. Appellants



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Vs.

Mr.K.P.Prakash
Respondent

..

Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 03.12.2021 passed by the learned Single Judge, in W.P.No.24335 of 2019 on the file of this Court.

For appellants : Mr.S.Silambannan, Addl. Advocate General,
assisted by Mr.S.Karthikeyan

For respondent: Mr.N.Elumalai

JUDGMENT

(The Judgment of the Court was delivered by The Honourable Chief Justice)

The Writ Appeal has been filed challenging the order dated 03.12.2021 passed in W.P.No.24335 of 2019, wherein, the following directions have been given by the learned Single Judge:

"6. A perusal of the records reveal that the allotment was made decades back, but sale deed is yet to be executed. The only ground taken by the respondents is that they are awaiting the Board resolution and issuance of Government Orders. The petitioner cannot be made to wait till eternity to have the sale deed executed for certain acts which have not been performed by the Board or the Government. In such circumstances, this Court without going into the



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merits of the issue, directs the respondents to take appropriate action in accordance with law for execution of sale deed in favour of the petitioner within a period of six weeks from the date of receipt of a copy of this order, if there is no other legal impediments."

2. The learned Additional Advocate General appearing for the appellants submitted that some more time may be given to the appellants to execute the sale deed, because approval of the Government is yet to come.

3. We fail to understand as to why the above prayer is made. It is not that the allotment of land was made very recently which may justify the delay in execution of the sale deed. In the instant case, the allotment was made almost a decade back and yet, sale deed was not executed. Hence, the Writ Petition had to be filed. When a specific direction was given by the learned Single Judge to execute the sale deed within six weeks, no action has been taken till date, though a period of six months has also expired from the date of the order passed by the learned Single Judge.

4. Looking into the over-all facts of the case, we do not find any



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justification to extend the time for execution of the sale deed. Accordingly, the Writ Appeal is dismissed. There shall be no order as to costs. Consequently, C.M.P.No.11001 of 2022 is closed.

(M.N.B., C J) (N.M.J)
11.07.2022

Index: Yes/no

Speaking Order: Yes/no

CS

To

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THE HONOURABLE CHIEF JUSTICE
and
N.MALA, J

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