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W.P.No.17777 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 13.07.2022**

CORAM:

**THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE**

**W.P.No.17777 of 2022**

S.Ezhumalai

... Petitioner

VS.

1.The Secretary,  
Housing and Urban Development Department,  
Fort St. George, Secretariat Building,  
Chennai.

2.The Chairman,  
The Tamil Nadu Slum Clearance Board,  
No.5, Kamarajar Salai,  
Chennai – 5.

3.The Executive Engineer,  
Tamil Nadu Slum Clearance Board (Division I),  
No.5, Kamarajar Salai,  
Chennai – 5.

...Respondents

**Prayer:** Writ petition filed under Article 226 of the Constitution of India for writ of Mandamus directing the second and third respondents to consider the representation dated 04.06.2022 sent by petitioner to the respondents to execute the sale deed in respect of the residential plot No.76, situated at Door No.23, Thiruvalluvar Salai, M.A.M.Ramasamy Nagar, Kodungaiyur, TNSCB Tenament, Chennai – 600 118 measuring an extent of



61.23 sq. ft. in favour of the petitioner within a time frame to be fixed by this Court.

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For Petitioner : Ms.C.Jayachithra  
For Respondent 1 : Mr.T.M.Rajangam,  
Government Advocate  
For Respondents 2 & 3 : Mr.G.Sivakumar,  
Standing Counsel

### ORDER

This writ petition has been filed seeking for limited relief.

2. Mr.T.M.Rajangam, learned Government Advocate accepts notice on behalf of the first respondent and Mr.G.Sivakumar, learned standing counsel accepts notice on behalf of the respondents 2 & 3. By consent of both parties, this writ petition is taken up for final disposal in the admission stage itself.

3. The petitioner claims that he was allotted a plot by the second respondent Board in the year 1994. According to the petitioner, the entire sale consideration has been paid. According to him, despite the same, sale



deed has not been executed in his favour. The petitioner has given representation on 04.06.2022 to the respondents requesting them to execute the sale deed. Since the said representation has not been considered till date, the petitioner has filed this writ petition.

4. Heard Ms.C.Jaya Chithra, learned counsel for the petitioner, Mr.T.M.Rajangam, learned Government Advocate appearing for the first respondent and Mr.G.Sivakumar, learned Standing Counsel appearing for the respondents 2 & 3.

5. The petitioner has filed documents along with this writ petition to substantiate his claim that he has paid the entire sale consideration for the allotment of the plot. Despite the same, the sale deed has not been executed by the respondents.

6. No prejudice would be caused to the respondents, if the petitioner's representation dated 04.06.2022 is considered on merits and in accordance with law after affording a fair hearing to the petitioner .



7. For the foregoing reasons, this Court directs the respondents 2 and 3 to pass final orders on the petitioner's representation dated 04.06.2022 requesting the respondents to execute a sale deed in his favour in respect of residential plot No.76, situated at Door No.23, Thiruvalluvar Salai, M.A.M.Ramasamy Nagar, Kodungaiyur, TNSCB Tenament, Chennai – 600118 measuring an extent of 61.23 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 him the right of personal hearing.

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

13.07.2022

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**Note: Issue order copy on 15.07.2022**

Index:Yes/No

Internet:Yes/No

Speaking/Non-speaking orders



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To

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**ABDUL QUDDHOSE, J.**  
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