



W.P.No.20393 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2022

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THE HON'BLE **MR.JUSTICE C.SARAVANAN**

W.P.No.20393 of 2022

P.Kandasamy

... Petitioner

Vs.

1.Chennai Metropolitan Development Authority,
Rep by its Member Secretary,
No.1, Gandhi Irwin Road,
Egmore, Chennai – 600 008.

2.Chennai Metropolitan Development Authority,
Rep by its Chief Executive Officer,
No.1, Gandhi Irwin Road,
Egmore, Chennai – 600 008.

3.Senior Estate Officer,
Chennai Metropolitan Development Authority,
No.1, Gandhi Irwin Road,
Egmore, Chennai – 600 008.

4.The Chief Executive Officer,
Koyambedu Market Management Committee,
Koyambedu Market, Koyambedu,
Chennai – 600 092.

... Respondents



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Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus, directing the 4th respondent herein to issue “NOC” and No Due Certificate with respect of the Shop No.G-49, Periyar Vegetable Market, Koyambedu, Chennai – 600 092 allotted to the petitioner so as to enable the petitioner to obtain sale deed from the respondents for the said shop.

For Petitioner : Mr.D.S.Rajasekaran

For Respondent : Mr.Y.Bhuvanesh Kumar
Standing Counsel
for R1 & R2
Mr.M.Shahjahan
Special Government Pleader
for R3 & R4

ORDER

Mr.Y.Bhuvanesh Kumar, learned Standing Counsel takes notice on behalf of the 1st and 2nd respondents and Mr.M.Shahjahan, learned Special Government Pleader takes notice on behalf of the 3rd and 4th respondents.

2.After hearing the learned counsel for the petitioner and the learned counsel for the respondents, this writ petition is disposed of at the time of admission, without expressing any opinion on merits of the case, considering



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the fact that the petitioner had secured an earlier order from this Court on 05.03.2021 in W.P.No.22360 of 2018. By the aforesaid order, this Court had directed the respondents to execute a sale deed in favour of the petitioner/Original Allottee on production of “no objection certificate” and “no due certificate” from the 4th respondent herein. Thereafter, the petitioner has approached the respondent with a legal notice dated 26.03.2021, followed by a letter dated 28.03.2021 and another letter dated 24.09.2021 since the orders was not complied with by the respondents. Thereafter, the petitioner had filed a contempt petition in Cont.P.No.1077 of 2022 which was dismissed on 23.06.2022. However, liberty was given to initiate appropriate proceedings by directing the 4th respondent to give no objection certificate to facilitate the other respondents to execute the sale deed in favour of the petitioner in terms of order passed on 05.03.2021 in w.P.No.22360 of 2018.

3.The learned Special Government Pleader for the 3rd and 4th respondents submits that the petitioner's representation will be considered and disposed of the same on merits, within a period of four weeks from the



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date of receipt of a copy of this order.

WEB COPY 4. Recording the above submissions made by the learned counsel for the 3rd and 4th respondents, this writ petition stands disposed of. No costs.

10.08.2022

Index : Yes/No
Internet : Yes/No
Speaking/Non-speaking Order
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To

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3. Senior Estate Officer,
Chennai Metropolitan Development Authority,
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4. The Chief Executive Officer,
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Koyambedu Market, Koyambedu,
Chennai – 600 092.



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This case is listed under the caption “for being mentioned”.

2.The learned counsel for the petitioner submits that in the cause title of the order dated 10.08.2022 the details of the petitioner has not been fully furnished.

3.The learned counsel for the 1st to 3rd respondents have no objection. Recording the same, Registry is directed to incorporate the full details of the petitioner, as stated in the affidavit filed in support of the present writ petition.

26.10.2022

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Note: Registry is directed to make necessary corrections and issue fresh order copy to the parties.



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26.10.2022