



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2022

CORAM

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. No. 28339 of 2021

P. Kalaivani

.. Petitioner

Versus

1. The Principal Secretary to Government
/Chairman (TNUHDB)
TAMILNADU URBAN HABITAT DEVELOPMENT BOARD
No.5, Kamarajar Salai
Chepauk
Chennai - 600 005
(Land Mark : Near Vivekananda House)

2. The Managing Director
TAMILNADU URBAN HABITAT DEVELOPMENT BOARD
No.5, Kamarajar Salai
Chepauk
Chennai - 600 005
(Land Mark : Near Vivekananda House)

3. The Estate Officer
Sivalingapuram
Chennai - 600 078

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the first respondent to dispose the petitioner's representation dated 12.11.2021 and to transfer the title in favour of the petitioner's name for the property in Door No. 98/21, Plot No. 564, Nehru Nagar Phase I, Elango Street, Velachery Part 1, Chennai - 600 042.

For Petitioner : Mr. V.Rameshkumar

For Respondents : Mr.C. Sangamithiran for R1
Special Government Pleader
Mr.R.Sivakumar for R2

O R D E R

Mr.C.Sangamithirai, learned Special Government Pleader takes notice for first respondent and Mr.R.Sivakumar, learned Standing Counsel takes notice for the second respondent. By consent of both the sides, this writ petition is taken up for final disposal at the time of admission itself.



2.The present writ petition has been filed seeking a direction to the first respondent to dispose the petitioner's representation dated 12.11.2021 and to transfer the title in favour of the petitioner's name for the property in Door No. 98/21, Plot No. 564, Nehru Nagar Phase I, Elango Street, Velachery Part 1, Chennai - 600 042.

3.According to the petitioner, she is residing at Door No.9/212, Plot No.564, Nehru Nagar Phase I, Elango Street, Velachery Part 1, Chennai - 600 042 since 15 years. During the year 1992, her father namely Mr.Pandian procured allotment for the above mentioned residential address and subsequently, on 22.03.2002, her father duly obtained No Objection Certificate from the second respondent board for the purpose of obtaining essential services like electricity, metro water, sewage connection. While so, on 25.11.2012, her father Mr. Pandian passed away subsequent to that, her mother namely Mrs. Mariyammal passed away leaving behind herself and her brother as their legal heirs. To enjoy the intestate properties, they both obtained legal heirship certificate in Certificate No.TN-7202102201254 and to the aforesaid residential properties, they are paying all the requisite taxes without any default. While so, on 12.11.2021, she along with her brother sent a detailed representation to the respondents with regard to name transfer of the aforesaid properties. The said representation has not acted upon till date and the same is pending, without any consideration. Therefore, this writ petition.

4. The learned counsel for the petitioner submitted that this Court may issue a suitable direction to the respondents to consider the petitioner's representation and pass appropriate orders within the time stipulated by this Court.

5. The learned Special Government Pleader submitted that the representation made by the petitioner will be considered and orders will be passed on merits within the stipulated period as fixed by this Court.

6.Considering the limited relief sought for in this writ petition, this court, without going into the merits of the case, directs the respondents 1 & 2 to consider the petitioner's representation dated 12.11.2021 and pass appropriate orders, on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

7.With the aforesaid direction, this Writ Petition stands disposed of. No costs.

Sd/-
Deputy Registrar(CS)



To

1. The Principal Secretary to Government
/Chairman (TNUHDB)
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Chennai - 600 005
(Land Mark : Near Vivekananda House)
2. The Managing Director
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3. The Estate Officer
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Chennai - 600 078

+1cc to Mr.R.Sivakumar, Advocate SR.No.876

+2ccs to Mr.V.Ramesh Kumar, Advocate SR.No.453

+1cc to Government Pleader SR.No.1109

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EV(CO)
GMY(12/01/2022)