



W.P(MD)No.11246 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 07.07.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.11246 of 2022

Hamsath Rani

... Petitioner

Vs.

1.The Executive Engineer and
Administrative Officer,
Madurai Housing Unit of
Tamilnadu Housing Board,
Ellis Nagar,
Madurai – 625 016.

2.The Manager – (Services),
Madurai Housing Unit of
Tamilnadu Housing Board,
Ellis Nagar,
Madurai – 625 016.

3.The Sub Registrar,
Tallakulam,
Now at Rajakambeeram,
Y.Othakadai,
Madurai,
Madurai District.

... Respondents

*(R3 is impleaded vide order dated 07.07.2022
in W.M.P.(MD)No.8742 of 2022 in
W.P(MD)No.11246 of 2022 by GRSJ)*



W.P(MD)No.11246 of 2022

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to consider the representation dated 21.03.2022 to rectify the errors made in the sale deed dated 28.03.1990 in Document No.633/90 and same was admitted in their reply letter dated 05.04.2022.

For Petitioner : Mr.N.S.Ponnaiah

For Respondents : Mr.R.Sivakumar for R1 & R2
Mr.J.K.Jeyaseelan,
Government Advocate for R3.

ORDER

The petitioner had purchased the property in question from one Indirani. The said Indirani had in turn purchased the property from one Brindha under sale deed dated 28.03.1990. The said Brindha was allotted the property in question by the respondent housing board. It is now seen that the sale deed executed by housing board in favour of Brindha contained certain errors as regards four boundaries. The petitioner who had stepped into the shoes of the originally allottee submitted a representation dated 21.03.2022 calling upon the housing board to execute a rectification deed.

2.I am more than satisfied that the pucca sale deed executed by housing board in favour Brindha suffers from errors and therefore, it requires to be



W.P(MD)No.11246 of 2022

rectified. Since the petitioner is the present title holder, the rectification deed has to be executed only in favour of the writ petitioner. The petitioner through her counsel states that she will bear the cost and the incidental charges for execution of the rectification deed. The petitioner shall give a draft deed of rectification to the first respondent within a period of two weeks from the date of receipt of a copy of this order. Thereupon, a mutually convenient date shall be fixed and on the said date the rectification deed shall be executed and registered in favour of the petitioner. The first respondent shall conclude the exercise within a period of two weeks from the date of submission of the rectification deed by the writ petitioner. Since the rectification deed is to be executed to pursuant direction of this Court, the third respondent shall not raise any other query.

3.The writ petition is allowed accordingly. No costs.

07.07.2022

Index : Yes / No
Internet : Yes/ No
ias



WEB COPY

To:

The Sub Registrar,
Tallakulam,
Rajakambeeram,
Y.Othakadai,
Madurai,
Madurai District.



W.P(MD)No.11246 of 2022

G.R.SWAMINATHAN, J.

ias

W.P(MD)No.11246 of 2022

07.07.2022
(2/2)