



W.P.No.1905 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **13.02.2023**

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.No.1905 of 2023

P.Subramani

... Petitioner

Vs

The Member Secretary
Chennai Metropolitan Development Authority
No. 1 Gandhi Irwin Road
Thalamuthu Natarajan Maligai
Egmore, Chennai 600 008

... Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Certiorarified Mandamus directing the respondent to consider the representation of the petitioner dated 06.09.2022 and execute the sale deed in respect of the property measuring 450 Sq.ft. bearing Plot No.70/C/9, Manali Pudu Nagar Scheme, Edayanchavadi Village, Tiruvallur District.

For the Petitioner : Mr.K.Francis

For the Respondent : Mr.C.N.Vinobha



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ORDER

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Writ petition has been filed seeking a mandamus directing the respondents/Member Secretary, Chennai Metropolitan Development Authority, Egmore, Chennai to consider the representation of the petitioner dated 06.09.2022 and execute a sale deed in respect of the property measuring 450 square feet in Plot No. 70/C/9, Manali Pudu Scheme, Edayanchavadi Village, Tiruvallur District.

2. The petitioner, a senior citizen has come before this Court stating that he was allotted Door No. 9, Block No. 70 in Manali New Town Scheme developed by the then MMDA under the EWS quota by the respondent.

3. The allotment order was dated 17.05.1988. He was directed to pay a sum of Rs. 14,000/- apart from Rs.3,500/- towards initial deposit.

4. The petitioner claims that he had paid necessary amounts. He was directed to produce the original allotment letter. He then found that it was missing. The respondent then told him to get a non traceable certificate from the competent police station. He also



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obtained the same from the Inspector of Police, T-1, Ambattur Police Station. Thereafter, the petitioner had given a representation seeking execution of sale deed. Since the respondent had not come forward, the present writ petition has been filed.

5. Heard the learned counsel for the petitioner and also the learned counsel for the respondent.

6. The petitioner claims that he had been allotted with aforementioned plot and stated that he had paid the entire amount. The copy of the allotment order had been filed as a document with the writ petition. However, the petitioner claims that he has lost the original. In this connection, he was directed to get a non traceable certificate which he also obtained from the jurisdictional police. Thereafter, the petitioner had given a representation calling upon the respondents to execute the sale deeds.

7. The following directions are issued:

i) The respondent is directed to issue notice to the petitioner for personal appearance and examine the documents produced by the petitioner.



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ii) If the petitioner had paid all the amounts and is able to properly identify himself, then the respondents may proceed further to execute sale deed in accordance with the rules and regulations.

iii) Such notice to be issued and such examination of the records and such sale deed should be executed within a period of four weeks from the date of receipt of a copy of this order.

8. The writ petition stands disposed of. No costs.

13.02.2023

Index: Yes/no
mrn

To
The Member Secretary
Chennai Metropolitan Development Authority
No. 1 Gandhi Irwin Road
Thalamuthu Natarajan Maligai
Egmore, Chennai 600 008



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C.V.KARTHIKEYAN, J.
(mrn)

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