



W.P.No.4503 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.08.2023

CORAM : JUSTICE N.SESHASAYEE

W.P.No.4503 of 2021

N.Abdul Khader

... Petitioner

Vs

1.The Managing Director

Tamil Nadu Slum Clearance Board

No.5, Kamarajar Salai

Chepauk, Chennai - 600 005.

2.The Estate Officer

Tamil Nadu Slum Clearance Board

No.1/1, Ibrahim Salai

Chennai - 600 001.

3.The Commissioner

Hindu Religious and Charitable Endowments Department

119, Uthamar Gandhi Salai

Thousand Lights West, Nungambakkam

Chennai - 600 034.

4.The Joint Commissioner / Executive Officer

Arulmighu Arunachaleswarar Temple

Pavazhakundur, Tiruvannamalai

Tiruvannamalai District - 606 601.

... Respondents

[R3 impleaded vide order dated 01.08.2023 in
WMP.No.8851/2021 in WP.No.4503/2021]

[R4 impleaded vide order dated 01.08.2023 in
WMP.No.11514/2021 in WP.No.4503/2021]



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Prayer : Writ Petition filed under Article 226 of Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records comprised in Na.Ka.No.6/B/2020/E.O.1, dated 28.01.2020 on the file of the second respondent, quash the same and consequently direct the respondents to execute the sale deed in favour of the petitioner in respect of the land in the plot No.104, Old Door No.666, New Door No.394, T.H.Road, Tondiarpet, Chennai - 600 081 of the Arunachaleswarar Slum, North Madras-World Bank Scheme.

For Petitioner : Mr.R.Sreedhar

For Respondents : Mr.M.Babu Muthu Meeran
for R1 & R2
R3 & R4 - No Appearance

ORDER

The petitioner comes out with a grievance that his father late Naina Mohamed was allotted a vacant commercial site at Plot No.104 under the Arunachaleswarar Temple Scheme funded by World Bank, and that the respondents 1 and 2 have executed a lease cum sale agreement on 25.01.1984 in favour of the petitioner's father. The petitioner's father had also paid necessary consideration and has complied with all the formalities. However, before the sale deed could take place, Naina Mohamed passed away, and hence the sale deed was not executed pursuant to the allotment made to



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Naina Mohamed. The petitioner has been periodically approaching the respondents for execution of the sale deed, and since the same was not done, he is before this Court in this writ petition.

2.1 The learned counsel appearing for the respondents 1 and 2 makes a statement on instructions that while the property originally belonged to the fourth respondent, it is under the administrative control of the third respondent and the said land is vested in the Slum Clearance Board on 23.04.2022, and he has also circulated a copy of the written communication addressed by the second respondent to the first respondent.

2.2 The learned counsel would make a further statement on instructions that the first respondent is ready to execute necessary sale deed to the legal heirs of the deceased Naina Mohamed.

3. The learned counsel for the petitioner would now submit that the petitioner's father and mother had executed separate settlement deeds dated 25.10.2010 and 29.11.2018, settling the property in question to the petitioner.

4. The Court merely directs the petitioner to approach the first respondent



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with the settlement deeds, and the first respondent is now required to ascertain about the allottees and execute the sale deed in favour of such allottees.

5. The petition is disposed of accordingly. No costs.

23.08.2023

Index : Yes / No

Speaking order / Non-speaking orders

To:

1.Tamil Nadu Slum Clearance Board
No.5, Kamarajar Salai
Chepauk, Chennai - 600 005.

2.The Estate Officer
Tamil Nadu Slum Clearance Board
No.1/1, Ibrahim Salai, Chennai - 600 001.

3.The Commissioner
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Tiruvannamalai District - 606 601.



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N.SESHASAYEE.J.,

ds

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