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W.P.No.4771 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2023

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.4771 of 2023

A.Ramanathan

... Petitioner

Versus

1. The Commissioner,
Corporation of Chennai,
Ripon Buildings, Chennai 3.

2. The Executive Engineer (Zone -14)
Corporation of Chennai, Madipakkam,
Puzhuthivakkam, Chennai-91.

3. MGP Builders and Developers Private Limited,
Alkasha Centre, 3/330,
Door No.3A, Third Floor,
Rajiv Gandhi Salai,
Thoraipakkam-600 097.

4. Fenlane Developers
Alkasha Centre,
3/330, Door No.3A,
Third Floor, Rajiv Gandhi Salai,
Thoraipakkam-600 097.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 2nd respondent to consider the petitioners representation dated 24.11.2022.



For Petitioner : Mrs.M.Manjula
For Respondents : Mrs.P.T.Ramadevi RR1 & 2

ORDER

This writ petition has been filed seeking a direction to the second respondent to consider the petitioner's representation dated 24.11.2022.

2. It is the grievance of the petitioner that he is a power agent of one Alagayya and Mariammal and he has been appointed as power agent to maintain the subject property in the year 2000. However, recently he came to know that the property has been fraudulently sold by one Pandurangan as the Power Agent of the said Alagayya and Mariammal. The said Pandurangan has executed a sale deed dated 10.03.2005 registered as Doc. No.1112/2005 at Sub Registrar, Velacherry to one Sriram. In turn, the said Sriram sold the properties to the respondents 3 & 4. Hence, the petitioner has made a representation on 24.11.2022 to the second respondent to stop the further transaction or mutation in A Register or Town Survey Land Register in respect of the subject properties. However, no action is taken so far and hence, the present petition.

3. The learned counsel for the petitioner submitted that this Court may direct the respondents 1 & 2 to consider the petitioners representation and pass



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appropriate orders.

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4. Mrs.P.T.Ramadevi, learned Standing Counsel, takes notice for the respondents 1 & 2.

5. Heard the learned counsel for the petitioner as well as the learned Standing Counsel appearing on behalf of the respondents 1 and 2 and perused the materials available on record.

6. According to the petitioner, one Pandurangan has fraudulently sold the subject properties as the power agent of the said Alagayya and Mariammal. This Court is of the view that unless such transaction is assailed by the original owner before the civil Court, the petitioner cannot seek direction to consider his representation before the second respondent, which is not sustainable one. Hence, the prayer sought for in the present writ petition cannot be granted.

7. In the result, the Writ Petition is dismissed. No costs.

20.02.2023

N.SATHISH KUMAR,J.

Rli



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Index : Yes/No

To

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