



WEB COPY



W.P.No.8820 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2023

CORAM
THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.8820 of 2018

1. A.Vijayalakshmi
 2. A.Nandini
- ...Petitioners

Vs.

1. The State Rep. by
The Chairman,
Tamilnadu Slum Clearance Board,
Kamaraj Salai, Chennai-5.
 2. The Area Engineer,
Estate Office-2,
Tamilnadu Slum Clearance Board,
Vyasarpadi, Chennai-600 039.
 3. The State Rep. by
The Secretary to Government,
Housing and Urban Development Department,
Fort St. George, Chennai-600 009.
 4. The District Collector,
Thiruvallur District.
 5. The Chief Secretary,
Government of Tamilnadu,
Chairman of the Empowered Committee,
Fort St. George, Chennai-600 009.
- ...Respondents



W.P.No.8820 of 2018

(R3-5 impleaded, vide order dated 10.02.2022 made in WMP.No. 217 of 2022 in W.P.No.8820 of 2018)

WEB COPY

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to execute the Sale Deed in favour of the petitioners with regard to their respective plots No.47 and 51, Shastri Nagar, (Madhavaram) Chennai.

For Petitioners : Mr.P.B.Suresh Babu

For Respondents : Mr.S.Prabhu, SC, for R1 & R2
: Mr.Veda Bagath Singh, Spl.GP, for R3

ORDER

The petitioners have filed this Writ petition seeking issuance of a Writ of Mandamus to direct the respondents to execute the Sale Deed in favour of the petitioners in respect of the subject property.

2. The case of the petitioners is that the petitioners were allotted with Plots bearing No.47 & 51, Shastri Nagar, (Madhavaram) Chennai, vide allotment order dated 09.08.1996 bearing No.A5/2012/95. As per the scheme, the petitioners paid monthly instalments up to 20 years and subsequently, the respondent board had also issued No Objection letters in favour of the petitioners for providing Electricity and other service Connections. Thereafter, the petitioners have also built a house and obtained



W.P.No.8820 of 2018

electricity and sewage connection, however, till date, the respondent board has not executed sale deed in respect of subject plots in favour of the respective petitioners, despite the petitioners having paid the entire sale consideration. Therefore, the petitioners made representations dated 21.02.2018 and 20.03.2018 before the 1st respondent, seeking to execute sale deed in their favour, which evoked no response. Hence, this petition.

3. Though very many grounds have been raised, learned counsel for the petitioners submitted that, it would suffice if this Court issues direction to the respondents to consider the petitioners' representations dated 21.02.2018 & 20.03.2018 and executed sale deed in respect of subject plots in favour of the respective petitioners as early as possible.

4. On the above said contention, heard learned counsel appearing for the respective respondents and perused the materials available on record.

5. Considering the limited request made by the learned counsel for the petitioners, this Court without expressing any opinion on the merits of the case directs the 1st respondent to consider the petitioners' representations



W.P.No.8820 of 2018

dated 21.02.2018 & 20.03.2018 on merits and in accordance with law and pass appropriate orders, within a period of four weeks from the date of receipt of a copy of this order, after affording an opportunity of personal hearing to the petitioners and aggrieved persons, if any.

6. Accordingly, this Writ petition stands disposed of. No costs.

06.03.2023
(1/2)

skt

Speaking Order : Yes/ No
Index : Yes/ No

To

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The Chairman,
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2. The Area Engineer,
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Tamilnadu Slum Clearance Board,
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4/7



W.P.No.8820 of 2018

WEB COPY

4. The District Collector,
Thiruvallur District.
5. The Chief Secretary,
Government of Tamilnadu,
Chairman of the Empowered Committee,
Fort St. George, Chennai-600 009.

M.DHANDAPANI., J.

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W.P.No.8820 of 2018
(1/2)



WEB COPY



W.P.No.8820 of 2018

06.03.2023

WMP.No.10687 of 2018

in

W.P.No.8820 of 2018

M.DHANDAPANI, J.

The present Miscellaneous petition has been filed to permit the petitioners to join in a single Writ petition. It is seen from the record that the petitioners have paid the entire Court fee and the Registry has also made an endorsement to that effect in the bundle.

Hence, the said endorsement is taken on record.



WEB COPY



W.P.No.8820 of 2018

06.03.2023

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