



WEB COPY



W.P.No.10754 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.04.2023

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.10754 of 2023

N.Neela

...Petitioner

VS.

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

2. The Sub Registrar,
Anna Nagar Sub Registrar Office,
Nolambur, Mogappair (West),
Anna Nagar,
Chennai-600 037.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, to
issue a Writ of Mandamus, directing the first respondent to consider the
representation dated 15.02.2023 to issue no objection certificate in
T.S.No.22/194 (PART), Block No.33, extent of 45.0 sq.mt at Door
No.87/256B, Kamarajar Street, Tiruvallur Nagar, Aynavaram, Chennai.

For Petitioner : Mr.R.Ravindraram
For Respondents : Mr.S.Karthikeyan [R1]

Mr.U.Baranidharan
Additional Government Pleader [R2]



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ORDER

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This Writ Petition has been filed seeking for issuance of a Writ of Mandamus to direct the first respondent to consider the representation dated 15.02.2023 to issue no objection certificate in T.S.No.22/194 (PART), Block No.33, extent of 45.0 sq.mt at Door No.87/256B, Kamarajar Street, Tiruvallur Nagar, Aynavaram, Chennai.

2. It is the case of the petitioner that the first respondent has given a sale certificate for the above said property on 19.03.2009 without issuing patta and subsequently the said property was transferred to the petitioner's son vide settlement deed dated 27.04.2009 on the file of the second respondent. Thereafter the petitioner's husband and her son passed away. When the petitioner approached the second respondent for registration of sale deed for the above said property, the second respondent rejected the same citing the fact that the copy of the patta was not produced. Hence, the petitioner made a representation dated 15.02.2023 before the first respondent seeking No Objection Certificate for the above said property. Since the same was not considered, the above writ petition has been filed.



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3. Though very many grounds have been raised in the present writ petition, learned counsel for the petitioner submits that it would suffice if this Court issues a direction to the first respondent to consider the petitioner's representation dated 15.02.2022 and pass appropriate orders within the time frame that may be fixed by this Court.

4. On the above contentions, heard the learned counsel for the respective respondents and perused the materials placed before this Court.

5. Considering the facts and circumstances of the case, this Court without going into the merits of the case directs the first respondent to consider the petitioner's representation dated 15.02.2022, on merits and in accordance with law after affording an opportunity of hearing to the petitioner as well as aggrieved persons if any within a period of four (4) weeks from the date of receipt of a copy of this order.



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M.DHANDAPANI, J.

RAP

6. This Writ Petition is accordingly disposed of. No costs.

10.04.2023

RAP

Index : Yes/No

Speaking order : Yes/No

Neutral citation case : Yes/ No

To

1. The Chairman
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Triplicance, Chennai-600 005.
2. The Sub Registrar,
Anna Nagar Sub Registrar Office,
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