



W.P.(MD)No.4411 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 12.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.4411 of 2021

P.Mahaletshumi

... Petitioner

Vs.

1.The District Collector,
Dindigul District.

2.The Special Officer,
Kodaikanal Co-operative
House Building Society Ltd.,
Kodaikanal, Dindigul District.

3.The President,
Kodaikanal Co-operative House
Building Society Ltd.,
Kodaikanal, Dindigul District.

4.The Deputy Registrar of Co-operative (Housing),
Madurai Regional Office,
Melur Main Road,
Near Thiruvallur Bus Stop,
Madurai District.

...Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, to direct the respondents to release the sale deed in favour of the petitioner as per the allotment order issued by the second respondent vide letter dated 09.02.1996, within the stipulated time fixed in the light of the petitioner's representation dated 27.12.2020.



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For Petitioner : Mr.B.Vinoth Balan

For Respondents : Mr.B.Saravanan

Additional Government Pleader

ORDER

This writ petition has been filed for the issue of writ of mandamus directing the respondents to execute the sale deed in favour of the petitioner as per the allotment order issued by the second respondent through letter dated 09.02.1996 and based on the representation made by the petitioner dated 27.12.2020.

2.Heard the learned counsel appearing on either side.

3.The case of the petitioner is that the Special Officer of the Kodaikanal Co-operative House Building Society Limited, through proceedings dated 09.02.1996 had allotted the subject property, viz., Plot No.D-61 to the petitioner. Even as per the allotment order, the allotment will be confirmed only after the layout is approved and the said approval is received from the Director of Town and Country Planning. The petitioner also remitted a sum of Rs.45,000/- to the Society. The grievance of the petitioner is that the sale deed was not executed in favour of the petitioner and the representation that was



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made in this regard also did not evoke any response. Therefore, the present writ petition has been filed before this Court.

4.Taking into consideration of the facts and circumstances of the case and the limited relief sought for by the petitioner in the present writ petition, there shall be a direction to the petitioner to make a fresh representation before the third respondent along with all the relevant documents forthwith and the petitioner shall also provide particulars with regard to DTCP approval. On receipt of such representation, the third respondent shall consider the same and take a decision with regard to execution of the sale deed in favour of the petitioner for the subject plot. The decision shall be taken by the third respondent within a period of six weeks from the date of receipt of the representation from the petitioner.

5.With the above direction, this Writ Petition is disposed of. No costs.

12.10.2023

NCC : Yes / No
Index : Yes/No
Internet : Yes/No
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N.ANAND VENKATESH, J.

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