



WEB COPY



W.P.No.18388 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.18388 of 2024

T.Padmavathi

... Petitioner

-Vs-

1. Member Secretary,
Chennai Metropolitan Development Authority,
No.1, Thalamuthu Natarajan Maaligai,
Gandhi Irwin Road, Egmore, Chennai -600 008.

2. Senior Estate Officer,
Chennai Metropolitan Development Authority,
Chennai Metropolitan Development Authority,
No.1, Thalamuthu Natarajan Maaligai,
Gandhi Irwin Road, Egmore, Chennai -600 008. ... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the Respondents to issue the Sale Deed in the petitioner favour i.e. in name of T.Padmavathy with respect to Shop No.39, in Block-B, Type-II in the Food Grains Market Koyembedu.

For Petitioner : Mr.R.Hashwanth
For Respondents : Mr.Akhil Akbar Ali
Standing Counsel

ORDER



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This writ petition has been filed for direction directing the Respondents to issue the Sale Deed in favour of the petitioner i.e., in name of T.Padmavathy with respect to Shop No.39, in Block-B, Type-II in the Food Grains Market Koyembedu.

2. Heard both sides and perused the materials available on record.

3. The petitioner had applied for allotment of a shop in Food Grains Market at Koyambedu, Chennai, vide Application No.942 dated 20.08.2003. After a period of ten years, Shop No.39 in Block-B, Type-II in the Food Grains Market at Koyambedu, Chennai was allotted in favour of the petitioner. In order to purchase the said shop, the petitioner had availed loan and the same was sanctioned in favour of the petitioner by the communication dated 14.12.2023. Thereafter, the petitioner was also furnished with a draft sale deed in order to prepare a sale deed to be registered in favour of the petitioner.

4. In the draft sale deed, the allottee was mentioned as M/s Kajapolisetty Amara Prakasa Rao & Co., represented by its partner as petitioner. The petitioner states that the application was applied in the individual name. The name of the partnership firm was not mentioned anywhere. Therefore, only for



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the purpose of address, the petitioner stated the name of the partnership firm.

Whereas, the application was made in the individual name and not in the partnership firm. That apart, there is no rival party to claim the shop to be registered in their favour.

5. Therefore, the respondents are directed to execute the sale deed in respect of Shop No.39, in Block-B, Type-II in the Food Grains Market Koyembedu, in the name of the petitioner, forthwith.

6. Accordingly, this writ petition is allowed. There shall be no order as to costs.

04.10.2024

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
Neutral Citation : Yes/No
mn

G.K.ILANTHIRAIYAN. J,

mn

To



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