



W.P.No.33797 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2024

CORAM:

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

W.P.No.33797 of 2022

J.Rajasekaran

... Petitioner

Vs.

- 1.The Principle Secretary to Government,
Tamilnadu Housing Habitat Development Board,
Tamilnadu Secretariat,
St.George Fort, Chennai 600 009
- 2.The Managing Director,
Tamilnadu Housing Habitat Development Board,
E7, 2nd Floor, Kamaraj Salai, Chennai 600 005
- 3.The Estate Officer,
Tamilnadu Urban Habitat,
Housing Habitat Development Board,
No.7, Alayamman Koil, Old No.124, New No.5,
1st Floor, Thiyagaya Road, Teynampet,
Chennai 600 018

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus directing the third respondent to execute the sale deed in favour of the petitioner as per records pertaining to the sanction order Sa.mu.No.334/81/Ee dated 04.06.1982, in respect of allotted to the petitioner plot No.37, Door No.10B Thandavarayan Street, Gandhi Nagar, Ekkattuthangal, Guindy, Chennai 600 032.



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For Petitioner : Mr.V.Ramalingam

For Respondents : Mrs.K.Indumathy Venkatesh,

ORDER

This writ petition has been for direction to the third respondent to execute sale deed in favour of the petitioner in respect of plot No.37 bearing No.10 B, Thandavarayan Street, Gandhi Nagar, Ekkattuthangal, Guindy, Chennai.

2. The petitioner was allotted plot No.37 by the order dated 04.06.1982. The petitioner had paid the entire amount and even then, the petitioner was not executed sale deed by the third respondent. Therefore, the petitioner submitted representation for issuance of sale deed in his favour.

3. On perusal of the counter filed by the respondents revealed though the petitioner was allotted plot No.37 admeasuring 74 sq.mtrs. The plot No.37 was allotted to the petitioner's maternal aunt one, Tmt.Lakshmiammal W/o Devaraj. The said Lakshmiammal died and thereafter, the petitioner encroached the entire plot No.36. That apart, the



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petitioner produced fraudulent document and claimed both the plots in his favour. Therefore, if the petitioner removes the encroachment, if any, in plot No.36, only thereafter the respondents will be ready to execute sale deed in favour of the petitioner in respect of plot No.37.

4. In view of the above, the petitioner is directed to remove the encroachment made in plot No.36 to an extent of 60 sq.mtr. and hand over the vacant possession of plot No.36 to the third respondent. Thereafter, the third respondent is directed to execute sale deed in respect of plot No.37 in favour of the petitioner.

5. With the above direction, this writ petition is disposed of. There shall be no order as to costs.

28.06.2024

Neutral citation: Yes/No
Index: Yes/No
Speaking/Non-speaking order
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G.K.ILANTHIRAIYAN, J.

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To

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