



W.P. Nos. 7625, 7630, 7633, 7636, 7639 and 7640 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2024

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P. Nos. 7625, 7630, 7633, 7636, 7639 and 7640 of 2021

W.P. No. 7625 of 2021

1. R.Jayachandran
2. J.Selvajothi

... Petitioners

Vs

1. The Chairman,
Tamil Nadu Slum Clearance Board,
Rajaji Salai,
Chennai – 600 004.

2. The Commissioner,
Tamil Nadu Hindu Religious and Charitable Endowment Board,
Uthamar Gandhi Salai,
Chennai – 600 034.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Tamil Nadu Slum Clearance Board to execute the sale deed in respect of a portion of land measuring 1215 sq.ft., forming part of the reconstituted Plot Nos. 18, 19 & 20 comprised in R.S.No.3967/2, Tondiarpet Village, Chennai District, (Now



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bearing Door No.4/1, New No. 15/1 Arunachaleswarar Koil (West Mada Street), Tondiarpet, Chennai – 600081, allotted earlier to Rajaiah, Adikalaraj and Mohan Irudayaraj, under the MUDP Slum Improvement Scheme “Arunachaleswar Koil Slum” in terms of the Allotment letter Se. Mu. No. 1112/83/E, dated 17.03.1984, 06.12.1983 & 16.12.1983, respectively, to and in our favour and have the sale deed registered in accordance with the provisions of the Registration Act, within a time limit that may be fixed by this Court.

For Petitioners
in all W.Ps : Mr.B.Harikrishnan

For Respondents
in all W.Ps : Mr. S.Karthikeyan,
Standing Counsel (for R1)

Mr. K.Karthikeyan,
Government Advocate (for R2)

COMMON ORDER

These Writ Petitions have been filed for directing the first respondent/Slum Clearance Board to execute the sale deeds as per the original allotment orders.

2. The learned Standing Counsel appearing for the first respondent submitted that except the petitioner in W.P. No. 7630 of 2021, the other



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petitioners are not the original allottees, they are subsequent purchasers in their respective plots from the original allottees. Therefore, the original allottees violated the condition that they shall not encumber the property for a period of 10 years, that too, after execution the said sale deeds in their favour.

3. No allottees have executed any sale deeds in their favour so far. Therefore, the sale deeds cannot be executed in favour of the subsequent purchasers. Further, the petitioner (since deceased) in W.P. No. 7630 of 2021 and that only the legal heirs of the original allottees are surviving as on date. Hence, if they made any request for execution of sale deed they can be considered in accordance with law. Therefore, the direction sought in other Writ Petitions in W.P. Nos. 7625, 7633, 7636, 7639 and 7640 2021, cannot be considered, and those Writ Petitions are liable to be dismissed.

4. Insofar as the the petitioner in W.P. No. 7630 of 2021 is concerned, the legal heirs are at liberty to submit a fresh application for execution of the sale deed in their favour and on receipt of the same, the first



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respondent is directed to consider the same in accordance with law.

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5. With the above directions, the Writ Petition in W.P. No. 7630 of 2021 is disposed of and the Writ Petitions in W.P. Nos. 7625, 7633, 7636, 7639 and 7640 of 2021 are dismissed. No costs.

19.06.2024

Index: Yes/No
Neutral Citation: Yes/No
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To

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