



W.P(MD)No.7936 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.04.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.7936 of 2024

and

W.M.P.(MD)No.6836 of 2024

T.Panchavarnam

... Petitioner

Vs.

1.The District Collector,
Office of the District Collector,
Madurai – 625 002.

2.The Tahsildar,
South Taluk Office,
Collectorate,
Madurai – 625 002.

3.The Executive Engineer,
Tamil Nadu Slum Clearance Board,
No.169, K.K.Nagar Main Road,
Madurai Division, Madurai - 625 020.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents herein to execute and register a sale deed for the resident Plot No.356, Jawahar Puram, K.Pudur, Madurai with a small house in favour of legal heirs of deceased Allottee Ammaiyappan and Palaniammal as per the Joint undertaking affidavit dated 21.02.2023.



WEB COPY



W.P(MD)No.7936 of 2024

For Petitioner : Mr.K.Appadurai

For Respondents : Mr.T.Villavankothai,
Addl. Government Pleader for R1 & R2.
Ms.S.Latha,
Standing Counsel for R3.

ORDER

Heard both sides.

2.One Ammaiappan was allotted Plot No.356, Jawaharpuram, TNUDP Scheme, Madurai by the third respondent. He passed away on 09.09.2024. His wife / Palaniammal also passed away on 16.01.2021. They are survived by five legal heirs. The petitioner is one of them. The petitioner wants sale deed to be executed in favour of all legal heirs. The petitioner and other legal heirs must submit a joint application before the third respondent. On payment of balance amount and fulfilment of other usual formalities, the third respondent is ready to execute the sale deed. Paragraph Nos.6 and 7 of the counter affidavit read as follows:-

“6.It is submitted that the petitioner of this writ petition may please be advised to apply with all the legal heirs of the deceased allottee Mr.Ammaiappan / Palaniammal the original allottee of the Plot No.356 in Jawaharpuram, TNUDP Scheme, Madurai with all required documents to obtain the joint sale deed in the names of all legal heirs of



W.P(MD)No.7936 of 2024

the deceased allottee for the Plot No.356 in Jawaharpuram, TNUDP Scheme after remittance of the entire land cost payable to the Tamil Nadu Urban Habitat Development Board, Madurai Division, Madurai.

7.It is submitted that the joint sale deed to the Plot No.356 of TNUDP Scheme, Jawaharpuram, Madurai could be issued in the names of all the legal heirs of the deceased the allottee.”

The aforesaid averments should more than address the concerns expressed by the writ petitioner.

3.Directing the petitioner to abide by the formalities stipulated by the third respondent and directing the third respondent to execute a sale deed upon fulfilment of the same, this writ petition is disposed of. No costs.

12.04.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

To:-

1.The District Collector,
Office of the District Collector,
Madurai – 625 002.

2.The Tahsildar,
South Taluk Office,
Collectorate,
Madurai – 625 002.



WEB COPY



W.P(MD)No.7936 of 2024

G.R.SWAMINATHAN, J.

ias

3.The Executive Engineer,
Tamil Nadu Slum Clearance Board,
No.169, K.K.Nagar Main Road,
Madurai Division, Madurai - 625 020.

W.P(MD)No.7936 of 2024

12.04.2024