



W.P.(MD)No.21357 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.09.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.(MD)No.21357 of 2024

Gunaseelan

... Petitioner

/Vs./

1.The District Collector,
Madurai District,
Madurai.

2.The Superintending Engineer,
Tamil Nadu Slum Clearance Board,
Madurai Circle,
No.169, KK Nagar Main Road,
Madurai – 20.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to receive the balance consideration amount from the petitioner and to issue No Due Certificate and to execute a Sale Deed in favour of the Petitioner in respect of the house site No. 240 (New Plot No. 232) in T.S.No. 2720 at Jawaharpuram, K.Pudur, Madurai within a time frame that may be fixed by this Court.



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For Petitioner : Mr.K.Navaneetharaja

For Respondents : Mr.A.Kannan (R1)

Additional Government Pleader

Ms.S.Latha (R2)

Standing Counsel

ORDER

This writ petition has been filed for a mandamus, seeking for a direction to the second respondent to receive the balance sale consideration amount from the petitioner, to issue no due certificate and to execute a sale deed in favour of the petitioner in respect of the house site No. 240 (New Plot No. 232) in T.S.No. 2720 at Jawaharpuram, K.Pudur, Madurai, within a time frame to be fixed by this Court.

2. Heard Mr.K.Navaneetharaja, learned counsel appearing for the petitioner, Mr.A.Kannan, learned Additional Government Pleader appearing for the first respondent and Ms.S.Latha, learned standing counsel appearing for the second respondent.



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3. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

4. The petitioner claims that the allottee of the aforementioned plot has transferred his rights to the petitioner. According to the petitioner, no sale deed has been executed by the second respondent for the aforementioned property. Under those circumstances, the petitioner has given a representation on 10.04.2024 to the second respondent requesting the second respondent to receive the balance sale consideration amount, to issue no due certificate and to execute a sale deed in favour of the petitioner in respect of the aforementioned property. Since the representation has not been considered till date, the petitioner has filed this writ petition.

5. No prejudice will be caused to the respondents, if the petitioner's representation as stated supra is considered on merits and in accordance with law, within a time frame to be fixed by this Court.



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6. For the foregoing reasons, this Court directs the second respondent to pass final orders on merits and in accordance with law, on the petitioner's representation dated 10.04.2024, requesting the second respondent to receive the balance sale consideration amount from the petitioner, to issue no due certificate and to execute a sale deed in favour of the petitioner in respect of house site No. 240 (New Plot No. 232) in T.S.No. 2720 at Jawaharpuram, K.Pudur, Madurai, within a period of twelve weeks from the date of receipt of a copy of this order. It is made clear that this Court is not expressing any opinion on the merits and demerits of the petitioner's representation.

7. With the aforesaid direction, this writ petition is disposed of.

No costs.

06.09.2024

Index : Yes / No
NCC : Yes / No
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ABDUL QUDDHOSE, J.

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Order made in
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Dated:
06.09.2024