



W.P.No.14988 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 25.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No.14988 of 2025

PAVITHRA

... Petitioner

Vs

1. THE STATE REP BY
THE MANAGING DIRECTOR,
TAMILNADU URBAN HABITAT
DEVELOPMENT BOARD,
NO. 5, KAMARAJ SALAI, AYOTHIYA NAGAR,
TRIPLICANE, CHENNAI - 600 005.
2. THE EXECUTIVE ENGINEER,
DIVISION - VII,
TAMILNADU URBAN HABITAT DEVELOPMENT BOARD,
SIR THIYAGARAYA SALAI,
TEYNAMPET, CHENNAI - 600 018.
3. THE ESTATE OFFICER,
ESTATE OFFICER -VII,
TAMIL NADU URBAN HABITAT DEVELOPMENT BOARD,
SIR. THIYAGARAYA SALAI,
TEYNAMPET, CHENNAI.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the respondents to issue the sale deed in favour of the petitioner for the house unit at No.34, A block, Valleeswaran Kovil Thottam, Raja Annamalaipuram, Chennai - 600 028 pursuant to her representation dated 02.04.2025.



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For Petitioner : Mr.R.Thirumoorthy
For R1 to R3 : Ms.Indhumathi Venkatesh

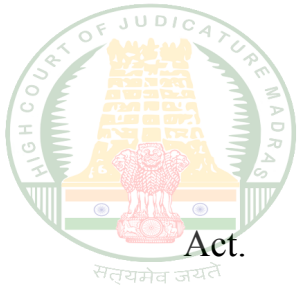
ORDER

This writ petition is filed to direct the respondents to issue the sale deed in favor of the petitioner for the house unit at No. 34, A Block, Valleeswaran Kovil Thottam, Raja Annamalaipuram, Chennai – 600 028, pursuant to her representation dated 02.04.2025.

2. The case of the petitioner is that the said house was allotted to her mother, namely Karpagam. The said Karpagam passed away on 06.02.2024. The petitioner is the only daughter of the said Karpagam. Her father, Umapathy, disappeared immediately after her birth.

3. In view thereof, this writ petition is disposed of on the following terms:-

(i) Since the respondent board is disputing the above facts, the petitioner shall file an appropriate suit before the Civil Court regarding the presumption under Section 111 of the Bharatiya Sakshya Adhiniyam (BSA)



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Act.

WEB COPY(ii) It is stated that the said Umapathy went missing immediately after the birth of the petitioner and there is no supporting document such as a criminal complaint filed in this regard. However, the Civil Court can consider the issue dehors the First Information Report.

(iii) The suit, if filed, shall be disposed of as expeditiously as possible, within a period of three months from the date of its initiation. Thereafter, the petitioner shall approach the first respondent with the decree of the Civil Court and they shall consider issuing the sale deed in the name of the petitioner. No costs.

25.04.2025

Neutral Citation: Yes/No
nsl



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- To
1. THE MANAGING DIRECTOR,
TAMILNADU URBAN HABITAT
DEVELOPMENT BOARD,
NO. 5, KAMARAJ SALAI, AYOTHIYA NAGAR,
TRIPPLICANE, CHENNAI - 600 005.
 2. THE EXECUTIVE ENGINEER,
DIVISION - VII,
TAMILNADU URBAN HABITAT DEVELOPMENT BOARD,
SIR THIYAGARAYA SALAI,
TEYNAMPET, CHENNAI - 600 018.
 3. THE ESTATE OFFICER,
ESTATE OFFICER -VII,
TAMIL NADU URBAN HABITAT DEVELOPMENT BOARD,
SIR. THIYAGARAYA SALAI,
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D.BHARATHA CHAKRAVARTHY, J.

ns1

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25.04.2025