



W.P.No.17959 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2025

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THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.17959 of 2022

M.G.Ramesh

.. Petitioner

VS

The Chairman  
Tamil Nadu Urban Habitat Development Board  
No.5, Kamarajar Salai  
Chennai – 600 005.

.. Respondent

Prayer: Petition filed under Article 226 of the Constitution of India, seeking a writ of mandamus, directing the respondent to issue allotment order and execute the sale deed in favour of the petitioner herein in respect of the property situated at Plot No.36 (Part), Door No.44, New No.20, Ayapakkam Road, in K.K. Nagar, Ayapakkam Road, Ambattur, Chennai – 53, by considering the petitioner representation dated 20.04.2022 and 31.05.2022.

For Petitioner : Ms.D.Latha

For Respondent : Mr.S.Karthikeyan  
Standing Counsel

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ORDER

This writ petition has been filed for issue of a writ of mandamus, directing the respondent to issue allotment order and to execute the sale deed in favour of the petitioner by considering the representation made by the petitioner dated 20.04.2022.

2.Counter affidavit has been filed by the respondent and the relevant portions are extracted hereunder:-

*"10) I submit that from the own statement of the petitioner it is crystal clear that the petitioner has purchased the plot no.36 from the original allottee named ThiruGanesan S/o. Sangili for the sale consideration of Rs.6,00,000 (Rupees Six lakhs) in the year 2006 through an unregistered sale deed which shows that the petitioner the request made by the writ petitioner could not be entertained. The unregistered sale deed of the petitioner has no value since the board has issued a registered sale deed to the original allottee.*

*11) I submit mere living in the said plot along with the family and having an unregistered sale deed executed by the allottee in his favour, EB connection, gas& families card etc does not entitle him for regularization. The plot was already regularized to the original allottee vide Board Lr.No.E5/14980/2006, Dated:26.10.2006 addressed to the Sub-Register, Ambattur.*



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12) *I submit that the sale deed for the said Plot No.36 has been executed by the board in favour of Thiru. Ganesan S/o. Sangili vide Board Lr.No.E5/14980/2006, dated: 26.10.2006. The unregistered document of the writ petitioner cannot be considered since the board has issued sale deed as early as 26.10.2006."*

3. Heard *Ms.D.Latha*, learned counsel for the petitioner and *Mr.S.Karthikeyan*, learned Standing Counsel for the respondent.

4. The claim made by the petitioner is that he is in occupation of Plot No.36 and he is in possession and enjoyment of 64 Sq. Mts. The learned counsel for the petitioner, by relying upon G.O.Ms.No.804, Housing and Urban Development Department, dated 23.09.1993, submitted that the claim made by the petitioner for allotment and for execution of the sale deed has to be considered in line with this Government Order.

5. Considering the stand taken by the respondent in the counter affidavit and considering the claim made by the petitioner, there shall be a direction to the respondent to deal with the representation made by the petitioner and to convey the decision to



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the petitioner within a period of four weeks from the date of receipt of a copy of this order.

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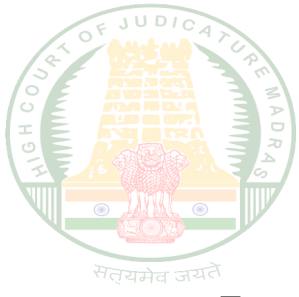
6. This writ petition is disposed of with the above directions.

There shall be no order as to costs.

01.07.2025

Speaking Order/Non-Speaking Order.  
Internet : Yes/No.  
Index: Yes/No.  
Neutral Citation: Yes/No

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To

1. The Chairman  
Tamil Nadu Urban Habitat Development Board  
No.5, Kamarajar Salai  
Chennai – 600 005.



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N.ANAND VENKATESH, J.

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