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Cont.P.No.1852 of 2025 and
Review Petition.No.186 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2025

CORAM :

THE HONOURABLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

**Contempt Petition No.1852 of 2025 and Review
Petition No.186 of 2025**

Contempt Petition No.1852 of 2025

V. Neelavathi

... Petitioner

Vs.

Mr.Anshul Mishra, I.A.S.,
The Managing Director
Tamil Nadu Urban Habitat Development
Board (TNUHDB),
No.5, Kamaraj Salai, Triplicane,
Chennai 600 005.

... Respondent

Contempt Petition filed under Section 11 of Contempt Act, 1971,
praying to punish the respondent for the willful disobedience and violating
the order of this Court passed in W.P.No.23488 of 2024 dated 05.02.2025.

For Petitioner : Mr.B.Viveka Vanan

For Respondent : Mr.S.Karthikeyan



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Review Petition No.186 of 2025

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1. The Managing Director,
Tamil Nadu Urban Habitat
Development Board,
No.5, Kamarajar Salai, Triplicane,
Chennai 600 005.
2. The Secretary
Tamil Nadu Urban Habitat Development
Board,
No.5, Kamarajar Salai, Triplicane,
Chennai 600 005.

... Review Petitioners

Vs.

1. V.Neelavathi
2. Menaka
3. R.Kuppusamy
4. R.Harikrishnan
5. R.Govindarajulu

... Respondents

Review Petition filed under Order XLVII Rule 1 read with Section 114
of the Code of Civil Procedure to review the order dated 05.02.2025 passed
in W.P.No.23488 of 2024.

For Petitioners : Mr.S.Karthikeyan

For Respondents : Mr.B.Viveka Vanan



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COMMON ORDER

This contempt petition and review petition relate to the same order dated 05.02.2025 passed in W.P.No.23488 of 2024 and as such taken up and disposed of by this common order.

2. The petitioner namely Mrs.Neelavathi had filed the contempt petition Contp.No.1852 of 2025 complaining willful disobedience of the order dated 05.02.2025 in W.P.No.23488 of 2024 and by the said order this Court directed the 1st respondent to execute the sale deed in favour of the petitioner on paying the requisite charges if any by the petitioner and the entire exercise was directed to be completed within a period of eight weeks from the date of receipt of a copy of the order. It is stated by the petitioner that on 27.02.2025, the petitioner made a representation duly enclosing the said order and even after the receipt of the same no steps have been taken and therefore contempt petition has been filed.

3. The respondents in the writ petition have preferred the review petition. The review is preferred on two grounds. Firstly, it is stated that the



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respondents cannot be the authority to determine the inter-se disputes between the legal heirs. Admittedly, in this case, original allotment was made in favour of K.V.Raghavan the father of the petitioner. There are other legal heirs also. Even though the petitioner is producing a Will, the Hon'ble Division Bench of this Court in W.A.No.1935 of 2022 by judgment dated 03.07.2024 directed that the board hence forth should issue sale deed in the name of all the legal heirs jointly and even if there is any adjustment between the legal heirs, the legal heirs should thereafter execute documents between themselves and the Board need not venture into these inter-se transactions. Therefore they are seeking to review the order passed by this Court.

4. It is true that the board has also issued proceedings. Therefore they were originally right in passing the impugned order which is in tune with the board proceedings. However, this Court only after noting the subsequent developments that even after notice to the other legal heirs, they did not contest before this Court and did not have any objection to the Will the above order was passed.

5. The 2nd ground on which the review is sought is that the proceedings

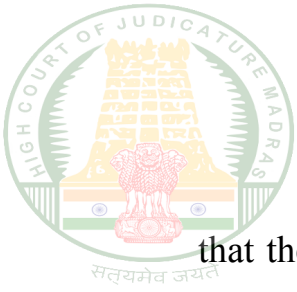


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are pending with reference to the alteration of the nature of land use and also enabling the respondents to alienate the property. When further orders of the Government are awaited and at present similarly situated persons are also not being granted the sale, the order as such cannot be complied with within the time as granted by this Court and if only the permission is granted by the Government and by proper authorities the very execution of the sale deed itself will become feasible.

6. I have considered the rival submissions made on either side and perused the materials available on record.

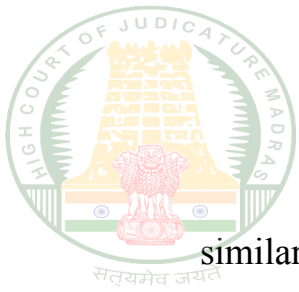
7. The first ground of review cannot be accepted. There can be no quarrel with reference to proposition that the Slum Clearance Board need not enter into the inter-se disputes between the legal heirs and it is advisable and preferable that in all occasions they should issue the sale deed only in joint name of all legal heirs. The word “legal heirs” should be noted. The case before Hon'ble Division Bench in W.A.No.1935 of 2022 dated 03.07.2024 was not a matter with reference to the execution of a Will. More over, this Court had not found fault with the approach of the respondents in insisting



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that they will issue sale deed only in the joint name of all the legal heirs but however only by considering that when the other legal heirs have been impleaded as the respondents and when they do not have any objection with reference to the issuing of the sale deed only in the name of the petitioner, on the special facts and circumstances of the instant case, the only upon finding that in this case the person had not died intestate but has left the Will which is not being contested or doubted by the other legal heirs, the petitioner being the only legatee, this Court had issued the said direction. Therefore, when joint execution is not a suo motu act of the respondent Board but only ordered by this Court on the facts and circumstances of the case, the order need not be reviewed.

8. As far as the 2nd ground is concerned, it is a valid point pleaded. The other departments have to examine that and therefore only after the feasibility arises, the sale deed can be executed. Therefore to that extent the order can be modified. The learned counsel for the petitioner submitted that until such time the feasibility arises the allotment order alone can be changed in the name of the petitioner and as and when the other permissions are granted by the Government at the time of execution of sale deeds in respect of all other



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similarly disputed persons the sale deed can be executed in the name of the petitioner also. There cannot be exception to the said course as argued the learned counsel for the petitioner. In view there of this contempt petition and the review petition are disposed of on the following terms :-

1. In view of the order being modified today by considering the review petition filed by the respondents no willful disobedience is made out and as such the Contempt Petition No.1852 of 2025 shall stand closed.

2. The Review Petition in No.186 of 2025 is partly allowed on the following terms:-

a. The direction that was originally made in para no. 7 with reference to execution of the sale deed in the name of the petitioner shall stand.

b. The direction to carryout the entire exercise within a period of 8 weeks stands modified as follows:-

i) for now the allotment shall be carried out in the name of the petitioner and since it is represented that the file with reference to the change of use of the particular survey number is pending before the Government and appropriate authorities and only upon completion of the said exercise and as and when it becomes feasible for the 1st respondent to execute the sale deed,



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the sale deed can be executed in the name of the petitioner.

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9. With the above observation and direction, the contempt petition
Cont.P.No.1852 of 2025 is closed and the Review Petition No.186 of 2025 is
partly allowed. No costs.

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Index : Yes/No
Speaking Order : Yes/No



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