



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-08-2025

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 28563 of 2025

1. PUSHPALATHA

W/o.Murugan, At Present Resides
At No.C.259, Periyar Nagar,
Chennai 600082.

Petitioner(s)

Vs

1. State Rep By Its.

The Superintending Engineer,
TNSCB, Office At No.5,
Kamarajar Salai, Chennai 600005.

2.The Executive Engineer,
Tamil Nadu Urban Habitat
Development Board, Division - III,
Office At T.P.chatram Main Road,
Opposite K-6 Police Station,
Jyothi Ammal Nagar, Kilpauk,
Chennai 600010.

3.Ramani,
W/o.Lakshmipathi, No.23, /500,
23rd Arulappa Street, Gkm
Colony, Jawahar Nagar, Chennai
District, Tamil Nadu 600082.

Respondent(s)

PRAYER

Writ petition filed under Article 226 of Constitution of India for the
issuance of writ of Mandamus directing the 1st and 2nd respondents



herein to consider the petitioner representation dated 20/06/2025 and issue a sale deed in favour of petitioner and the rest of the legal heirs except the 3rd respondent share and pass orders.

For Petitioner(s): Mr.C.Balaji
For Mr.S.Karthikeyan Standing
Respondent(s): Counsel For Rr1 And 2
Mr.T.Erai Anbu
for R3

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondents 1 and 2 to deal with the representation made by the petitioner on 20.06.2025 for registration of the sale deed in favour of the legal heirs of the original allottee viz., Munusamy.

2. Heard Mr.C.Balaji, learned counsel for the petitioner and Mr.S.Karthikeyan, learned Standing counsel for respondents 1 and 2.

3. It is seen from records that the original allottee was one Munusamy. He died leaving behind his sons, daughters and the grand children. The 2nd respondent has already executed the sale deed in favour of all the legal heirs of Munusamy and this sale deed



is yet to be presented for registration. The difficulty faced by the legal heirs is that the 3rd respondent, who is the daughter of Munusamy is not co-operating with the registration and as a result, the sale deed is not able to be registered.

4. The learned counsel appearing for the 3rd respondent submitted that the petitioner and the other legal heirs, even before the sale deed is registered, have entered into various agreements with third parties without any right and hence, an enquiry must be conducted by the 2nd respondent in this regard.

5. In the considered view of this Court, none of the legal heirs of Munusamy will be able to trace any right in the property unless the sale deed is registered. It is also seen that four months have already expired. Therefore, the more the registration of the sale deed is delayed, none of the parties can exercise any right over the property.

6. In view of the above, there shall be a direction to the legal heirs including the 3rd respondent to co-ordinate for the registration of the sale deed. The concerned Sub Registrar shall



condone the delay and entertain the sale deed and register the same, if all the other formalities are completed. Upon such registration, if the 3rd respondent is of the view that her right is being defeated, by the other legal heirs, it is left open to the 3rd respondent to work out her remedy before the competent Civil Court. The mere registration of the sale deed, will not in any way, defeat the right of the 3rd respondent and in fact, the 3rd respondent will be able to trace the right only after the sale deed is registered. Hence, registration of the sale deed will also enure in favour of the 3rd respondent and other legal heirs of the deceased Munusamy. This observation will sufficiently take care of the grievance expressed by the 3rd respondent.

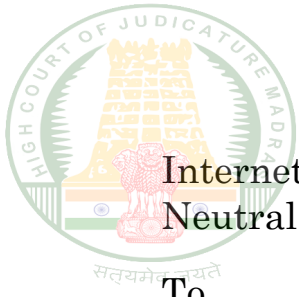
7. In the result, this writ petition is allowed with a direction to the legal heirs of late Munusamy to go over to the office of the Sub Registrar, Anna Nagar to register the sale deed and the concerned Sub Registrar, shall condone the delay and register the same, if it is otherwise in order. No costs.

22-08-2025

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Index:Yes/No

Speaking/Non-speaking order



Internet:Yes

Neutral Citation:Yes/No

To

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