



WP No.43526 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-11-2025

CORAM

THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

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K.Vanalagi,
W/o.Thamas Gnanasekar,
Door No.16/15, Jawahar Street,
Ramana Nagar, Perambur,
Chennai-600 011.

Petitioner(s)

Vs

1.The Tamilnadu Urban Habitat Development Board,
(Formerly Known as TN Slum Clearance Board),
Rep. by Managing Director,
No.5, Kamarajar Salai, Chennai-600 005.

2.The Sub Registrar,
Purasawalkam, Chennai-600 023.

Respondent(s)

PRAYER:-Writ Petition filed under Article 226 of the Constitution of India,
praying for an issuance of Writ of Certiorarified Mandamus, to call for the



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records pertaining to the impugned refusal cheque slip No.RFL / Purasawalkam / 179 / 2025, dated 16.10.2025 issued by the 2nd respondent and quash the same and consequently direct the 2nd respondent to register the sale deed dated 16.10.2025 on presentation by the petitioner and release the same within a stipulated time as fixed by this Court.

For Petitioner(s): Mr.M.Ramdoss
 for Mr.R.Udaya Basker

For Respondent: Mr.S.Karthikeyan
 Standing Counsel for R1
 Mr.P.Harish
 Government Advocate for R2

ORDER

This writ petition has been filed by the petitioner challenging the impugned refusal check slip No.RFL / Purasawalkam / 179 / 2025, dated 16.10.2025 issued by the 2nd respondent.

2.Mr.S.Karthikeyan, learned Standing Counsel takes notice on behalf of the 1st respondent and Mr.P.Harish, learned Government Advocate takes notice



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on behalf of the 2nd respondent. By consent of the parties, the main writ petition
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is taken up for disposal at the admission stage itself.

3.Learned counsel for the petitioner would submit that initially, the petitioner's late mother Ettiammal was allotted with vacant house site in Plot No.131, Block No.45 comprised in S.No.2873/2, measuring to an extent of 1135.5 sq.ft, situated at 7th Street, B-Block, Sivashanmugapuram, Purasawalkam, Chennai – 600 007, as per the G.O.Ms.No.1117, Housing and Urban Development Department dated 27.06.1979 and G.O.Ms.No.110 Housing and Urban and Development Department dated 29.08.1980. Subsequently, a Lease cum Sale Agreement dated 19.09.1983 was executed in favour of the petitioner's mother late Ettiammal for a total sale consideration of Rs.6,468/-, which was paid the petitioner's mother on monthly instalment. But, unfortunately before the execution of sale deed, the petitioner's mother died on 24.05.2004 and her husband Kannan was pre-deceased on 26.07.1966. Therefore, the 1st respondent executed a sale deed dated 16.03.2015 vide



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registered Document No. 2983/2015 to and in favour of the legal heirs of late

Ettiammal including her grand children, daughter-in-law and son-in-law.

4.He would further submit that the petitioner, her sister Govindammal and two brothers viz., K.Devendran and K.Sekar are the Class-I legal heirs of late Ettiammal. Since the said Govindammal and K.Sekar were also died in the year 2009 and 2013, respectively, the sale deed was executed in favour of petitioner; his brother K.Devendran; husband and children of late Govindammal and wife and children of late K.Sekar. As a Class-I legal heirs, the petitioner, her sister Govindammal and two brothers viz., K.Devendran and K.Sekar are entitled for 1/4th share in the property to an extent of 283.875 sq.ft each out of 1135.5 sq.ft and based on the oral partition between the petitioner, her brother K.Devendran and the legal heirs of late Govindammal and K.Sekar were in joint possession and enjoyment of the property. While so, the petitioner decided to sell her 1/4th share to Renuka, who is one of the daughter of the petitioner's sister late Gocindammal and presented a sale deed dated 16.10.2025 before the 2nd



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respondent. However, the 2nd respondent refused to register the sale deed stating that 1st respondent has executed a sale deed in favour of 10 persons, who are all the legal heirs of late Ettiammal and hence each entitle only 1/10th share to an extent of 113.55 sq.ft each in the estate of late Ettiammal. Hence, the present writ petition has been filed.

5.Learned Government Advocate appearing for the 2nd respondent prays to pass appropriate orders and he would submit that the same would be complied with.

6.Heard the learned counsel for the petitioner; learned Standing Counsel for the 1st respondent and the learned Government Advocate appearing for the 2nd respondent and perused the materials available on records.

7.Considering the submissions made by either parties, this Court is of the view that the Class-I legal heirs of late Ettiammal is Govindammal,



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K.Devendran, Vanalahi, the petitioner herein and K.Sekar and each of them are entitled to $1/4^{\text{th}}$ share in the subject property to an extent of 283.875 sq.ft and other eight persons are grand children, daughter-in-law and son-in-law of the late Ettiammal and hence, they are not entitled to get equal share along with Class-I legal heirs but the legal heirs of Govindammal is entitled to $1/5^{\text{th}}$ share each out of the 283.875 sq.ft (i.e from $1/4^{\text{th}}$ share of deceased Govindammal) and the legal heir of K.Sekar are entitle to $1/3^{\text{rd}}$ share out of the 283.875 sq.ft (i.e from the $1/4^{\text{th}}$ share of deceased K.Sekar). Merely the execution of sale deed dated 16.03.2015 in favour of 10 people, does not mean that all the 10 people entitled to get equal share on the subject property. The legal heirs of late Govindammal and K.Sekar are not entitled to get equal share on a par with the Class-I legal heirs of late Ettiammal. Such being case, the impugned refusal check slip is liable to be set aside. Accordingly, the impugned refusal check slip dated 16.10.2025 is set aside and the 2nd respondent is directed to register the sale deed presented by the petitioner in favour of one Renuka, forthwith, upon the re-presentation of the same.



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8. With the above directions, this writ petition is disposed of. No costs.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

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Development Board
(formerly Known As Tn Slum
Clearance Board),
Rep. By Managing Director, No.5,
Kamarajar Salai, Chennai-600 005.

2. The Sub Registrar,
Purasawalkam, Chennai-600 023.



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KRISHNAN RAMASAMY J.

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