



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-06-2026

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THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 14870 of 2023

1. Venkataraman
2. R.Kalarani
3. M.Sai Krishnan

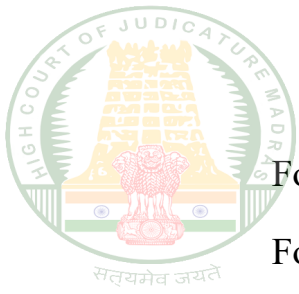
..Petitioners

Vs

1. The Commissioner
Greater Chennai Corporation
Rippon Building, Chennai.
2. The District Revenue Officer/The Zonal Officer
Greater Chennai Corporation/Zone 10,
NSK Salai, Kodambakkam,
Chennai-600 024.

..Respondents

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorari, to call for the records issued by the second respondent in **ம.அ.10.வ.பி.ந.க.எண். ஆர். 4/5174 / 2018** dated 18.01.2023 and quash the same as it is arbitrary, discriminatory and in violation to the resolution passed by the Corporation Council.



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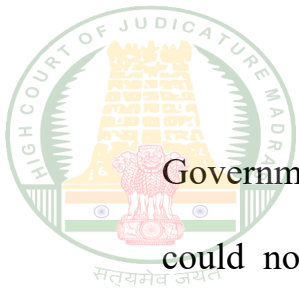
For Petitioners: Mr.R.Swarnavel

For Respondents: Mr.P.V.Balasubramanian,
Additional Advocate General
Assisted by Ms.K.Aswini Devi
Standing Counsel for R1 & R2

ORDER

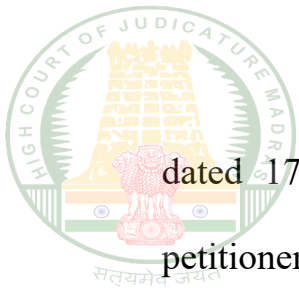
This petition has been filed challenging the order of the second respondent in **ம.அ.10.வ.பி.ந.க.எண். ஆர். 4/5174/2018** dated 18.01.2023 and seeking to quash the same as it is arbitrary, discriminatory and in violation to the resolution passed by the Corporation Council.

2.The case of the petitioners is that their father, late R.Manavalan, was appointed as a Tax Collector (Shroff) in the Corporation of Madras (now the Greater Chennai Corporation) vide Memorandum dated 20.12.1956. He was subsequently promoted and appointed as a Permanent Tax Collector in the Revenue Department vide the proceedings of the first respondent dated 20.08.1963 and was transferred to Cash Section. Thereafter, on 07.01.1967, the petitioners' father was allotted a house bearing Plot No.16, Rangarajapuram, Corporation Colony, Kodambakkam, Chennai-6500 024, on a rental basis. Subsequently, on 17.10.1973, the Corporation Council resolved to sell the property to the lessee under a sale-cum-mortgage arrangement. While so, after his retirement, due to ill health, the petitioners' father was admitted to a



Government hospital. On 26.08.1985, he went missing from the hospital and could not be traced thereafter. During the same period, the Corporation of Madras started execution of sale deeds in favour of similarly placed employees to whom plots had earlier been allotted under the sale-cum-mortgage scheme.

3. After a lapse of 22 years, the petitioners' mother Chakubai, filed a suit in O.S.No.8495 of 2008 before the XV Assistant Judge, City Civil Court, Chennai seeking a declaration of the civil death of the petitioners' father. The said suit was decreed on 25.08.2009. Thereafter, the Corporation issued a death certificate on 07.08.2017, and the petitioners' mother obtained a Legal Heir Certificate from the Revenue Department on 11.08.2017. Subsequently, she made a representation dated 23.04.2018 for execution and registration of the sale deed in respect of Plot No.16, bearing Door No.18/8, Second Street, Rangarajapuram, Corporation Colony, Kodambakkam, Chennai-600 024 in her favour. Unfortunately, the petitioner's mother passed away on 11.04.2020. Thereafter, the petitioners made another representation on 30.07.2021 to the Secretary, Municipal Administration, Government of Tamilnadu requesting necessary steps for execution and registration of the sale deed in their favour. However, no order was passed on the said representation. Consequently, the petitioners filed W.P No.2846 of 2022 seeking a direction to the second respondent to consider their request for registration of the sale deed. By order



dated 17.02.2022, this Court directed the 2nd respondent to consider the petitioners' representation and pass appropriate orders in accordance with law.

Pursuant thereto, the impugned order came to be passed, rejecting the petitioners' request on the ground that no documents relating to the allotment order and the sale-cum-mortgage agreement had been produced before the authority. Aggrieved by the said order, the petitioners have filed the present writ petition challenging the same.

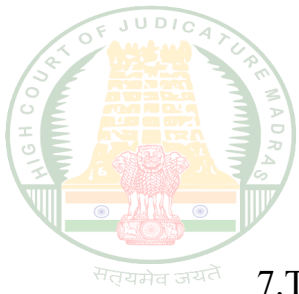
4.The learned counsel appearing for the petitioners would submit that, admittedly, the petitioners' mother, during her lifetime, submitted a representation dated 29.05.2019 to the respondents enclosing all relevant documents, namely, the allotment order, death certificate, Legal Heir Certificate, No Objection Certificate from other legal heirs, rental receipts, property tax and water tax receipts, ration card, voter identity card, electricity bill and Aadhaar card. The said representation was submitted pursuant to the communication sent issued by the Zonal Officer, Zone-10, Chennai Corporation vide their letter in म.अ.10.व.पि.न.क.ए.ए. ऑ. 4/5174/201 dated 13.05.2019. However, the impugned order has been passed by the second respondent on the ground that no supporting documents had been enclosed with the representation. According to the learned counsel, such a finding is factually incorrect and unsustainable, as the requisite documents had already been submitted along



with the representation dated 29.05.2019. Therefore, it is contended that this Court may be pleased to direct the respondents to verify the documents submitted by the petitioners' mother along with the representation dated 29.05.2019 and thereafter pass appropriate orders in accordance with law.

5.Per-contra, the learned Additional Advocate General appearing for the respondents produced the original file maintained by the Greater Chennai Corporation and would submit that no sale-cum-mortgage agreement had ever been executed in favour of the petitioners' father Manavalan. According to him, only a rental agreement had been executed in favour of the petitioners' father in view of his employment with the Corporation. The learned Additional Advocate General further contended that the petitioners have failed to produce any document to establish that the property in question had been allotted to their father under a sale-cum-mortgage scheme. In the absence of any allotment order, sale-cum-mortgage agreement, or any other documents evidencing such an arrangement, the claim made by the petitioners and their mother cannot be sustained. Accordingly, he prayed for dismissal of the writ petition.

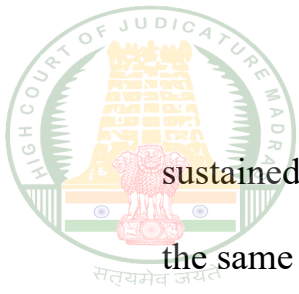
6.Heard the learned counsel appearing on either side and perused the materials available on record.



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7.The facts of the present case are not in dispute. Admittedly, the petitioners' father was employed as a Tax Collector in the Chennai Corporation. The petitioners contend that their father was initially allotted the subject property on a rental basis and that subsequently a sale-cum-mortgage deed was executed in favour of their father. It is also not in dispute that the petitioners' father went missing in the year 1985. Thereafter, the petitioners' mother filed a suit in O.S.No.8495 of 2008 before the XV Assistant Judge, City Civil Court, Chennai and obtained a decree on 25.08.2009. Pursuant thereto, a death certificate and a Legal Heir Certificate were issued. However, no document evidencing the alleged sale-cum-mortgage agreement executed by the Chennai Corporation in favour of the petitioner's father has been produced before this Court.

8.This Court has perused the entire original file produced by the learned Additional Advocate General on behalf of the respondents. A perusal of the records does not disclose the sale-cum-mortgage or any document indicating that the property had been allotted to the petitioners' father under such a scheme. In the absence of any documentary evidence substantiating the petitioner's claim, the request made before the Corporation cannot be



sustained. Accordingly, this Court finds no merit in the present writ petition and the same is liable to be dismissed.

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9. Accordingly, this writ petition is dismissed. However, if the petitioners are able to trace and produce the sale-cum-mortgage agreement, along with proof of payment made pursuant thereto, they are at liberty to submit a fresh a representation for consideration in accordance with law. No costs.

09-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

Uma

To

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Greater Chennai Corporation, Rippon Building,
Chennai.
2. The District Revenue Officer/The Zonal Officer
Greater Chennai Corporation/Zone 10, NSK
Salai, Kodambakkam, Chennai-600 024.



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