



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-06-2026

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THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

WP.No.21394 of 2026

1. M.Suresh Kumar
2. M.Vijayalakshmi
3. M.Haridass
4. Ambiga.J
5. J.Nalini
6. Tamilselvi.R
7. J.Vishwanathan
8. J.Saravanan
9. S.Ananthi
- 10.Jayanthi Thrunavukarasu
- 11.Mythili
- 12.Hemavathi
- 13.Sangeetha K S
- 14.Santhoshkumar
- 15.Usha I
- 16.Surendhira Kumar
- 17.Subhashini

..Petitioner(s)



Vs

1. The Managing Director,
Tamil Nadu Urban Habitat Development Board,
No.5, Kamarajar Salai, Chepauk,
Chennai-600 005.

2. The Executive Engineer,
Division 3, Tamil Nadu Urban Habitat
Development Board, T.P. Chathiram,
Chennai-600 010.

..Respondent(s)

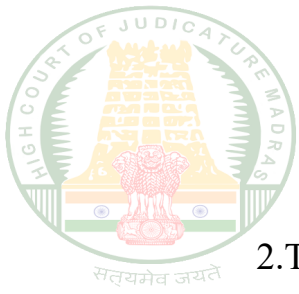
Prayer: Writ Petition filed under Section 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents herein to execute the sale deed in respect of property at Old door No.31, New Door No.16, 5th Street, Venkatesapuram New Colony, Kannigapuram, (previously Tamil Nadu Slum Clearance Board No.15A) totally admeasuring 800 sq.ft at Kannigapuram Village, Perambur Taluk, Chennai 600 012 in favour of 1st petitioner by taking note of the Affidavit of No objection given by the legal heirs without instating upon the personnel appearance of petitioners 2-17 within a time frame to be fixed by this Court.

For Petitioner(s): Mr.A.Tamilvanan

For Respondent(s): Mr.B.Balaji
for Mr.S.Karthikeyan, Standing Counsel

ORDER

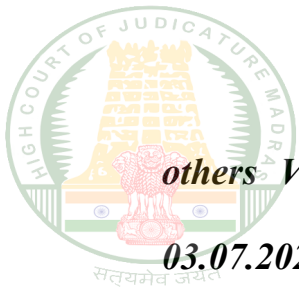
The present Writ Petition is filed directing the respondents to execute the sale deed in favour of the 1st petitioner herein by taking note of the no objection affidavit given by the petitioners 2 to 17 herein.



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2.The 1st petitioner would submit that the house property bearing Old Door No.31, New Door No.16, 5th Street, Venkatesapuram New Colony, Kannigapuram, admeasuring 800 sq. ft. at Kannigapuram Village, Perambur Taluk, Chennai – 600 012, was allotted to his father late Mr.Murugesan vide Allotment No.15A by the Slum Clearance Board sometime in 1959. The 1st petitioner's father died on 18.10.1990 leaving behind the petitioners numbering about 17 as his legal heirs. The installment in respect of the property has been paid in full. The petitioners would submit that the 1st petitioner was in possession of the said property since the death of the father. The entire dues in respect of the above property has already been discharged to the Slum Clearance Board and the 1st petitioner along with the legal heirs approached the respondents for execution of the sale deed. However, despite repeated reminders and representations, the sale deed is yet to be executed in favour of the 1st petitioner. The 1st petitioner would submit that the remaining 16 petitioners, who are the legal heirs, have no objection to the sale deed being executed in the name of the 1st petitioner.

3.The learned counsel for the respondents would place reliance on the decision of the Hon'ble Division Bench of this Court passed in the case of ***Chief Controlling Revenue Authority and Inspector General of Registration and***

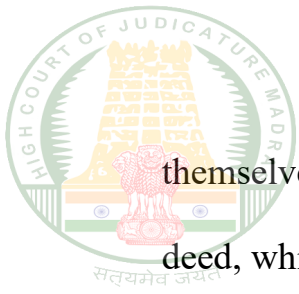


others Vs. V.Sekar and another passed in *W.A.No.1935 of 2022, dated 03.07.2024* and would submit that it may be necessary that the sale deed be

initially executed in favour of all the legal heirs and thereafter, it may be left open to the legal heirs to relinquish their rights by a registered instrument in favour of any of the legal heirs.

4.On perusal of the above decision of the Division Bench of this Court, it appears that once an allotment is made in the name of the ancestor, the fact that the sale deed is executed in the name of one of the many legal heirs might not divest the other legal heirs of the title of the property. The observations in the above decision of the Division Bench that the sale deed must initially be executed in favour of the legal heirs and thereafter, it may be open to the legal heirs to relinquish their rights in respect of other legal heirs must be understood in the context of the facts dealt with by the Division Bench. It was the case where all the legal heirs were not before the Court. However, in this present case, all the legal heirs are before this Court and they have jointly filed the present Writ Petition as petitioners, wherein they have consented to the execution of the sale deed in favour of the 1st petitioner.

5.This Court also suggested that apart from the 1st petitioner, the remaining 16 petitioners, who are the legal heirs of the deceased, must present



themselves before the concerned authorities at the time of execution of the sale deed, which is readily agreed to by the learned counsel for the petitioners.

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6. In that view of the matter, this Court does not find any reason as to why the sale deed ought not to be executed in favour of the 1st petitioner, subject to the condition set out above. Thus, if a request/representation is made by the 1st petitioner for execution of the sale deed in terms of the order of this Court, the said representation shall be acted upon and the sale deed may be executed subject to the condition set out supra, within a period of four weeks from the date of receipt of a copy of this order. It is made clear that in case the petitioners are required to pay any dues whatsoever, the rights of the petitioners to have the sale deed executed would be subject to the compliance of the directions/payment of dues, if any, given by the respondents.

7. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

09-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

hvk



MOHAMMED SHAFFIQ, J.

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To

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Tamil Nadu Urban Habitat Development Board,
No.5, Kamarajar Salai, Chepauk,
Chennai-600 005.

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