

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 05.02.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P. No.30179 of 2014 &

M.P.No.1 of 2014

R.Ranjith Kumar

.. Petitioner

Vs.

1.The Chairman
Tamilnadu Slum Clearance Board
Kamarajar Road, Chennai 600 005.

2.The Managing Director
Tamilnadu Slum Clearance Board
Kamarajar Road, Chennai 600 005.

3.R.Rajesh Kumar

4.Ramya .. Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue Writ of mandamus to direct the first and second respondents respectively to issue allotment in either jointly in both properties or sole allotment in any one of the two properties bearing Plot Nos. 163, 167, situated at S.S.Puram, B-Block, 5th Street, Purasawakkam, Chennai 600 007, on the basis of my representation dated 15.10.2014.

For Petitioner : Mr.R.S.Mohan

For Respondents : Mr.B.Kesavan -R1 & R2

No appearance - R3

Mr.S.Kingston Zerold - R4

O R D E R

By consent of the learned counsel on either side, the writ petition is taken up for final disposal.

2.Heard Mr.R.S.Mohan, learned Counsel appearing for the petitioner, Mr.B.Kesavan, learned counsel appearing for the first and second respondents, Mr.S.Kingston Zerold, learned counsel appearing for the fourth respondent and none appeared on behalf of the third respondent.

3.The petitioner has come forward with this Writ Petition for issuance of a writ of mandamus to direct the first and second respondents to issue allotment in either jointly in both properties or sole allotment in any one of the two properties bearing Plot Nos. 163, 167, situated at S.S.Puram, B-Block, 5th Street, Purasawakkam, Chennai 600 007, which have been allotted to his father R.Ramesh Kumar.

4.According to the petitioner, his father has been allotted the Flat by the Tamil Nadu Slum Clearance Board and after his demise, there appears to be some disputes between the petitioner and the respondents 3 & 4, who are his brother and sister.

5.If there is any consensus among the petitioner and respondents 3 & 4, then the matter could be easily sorted out by the second respondent. However, if there is any difference of opinion between them, then the petitioner and the respondents 3 & 4, shall work out their remedies by approaching the appropriate forum, seeking for necessary relief. In any event, the petitioner has submitted a representation to the respondents 1 & 2 and the same is still pending.

6.In the light of the above, without going into the merits and the contentions raised by the petitioner, the respondent Board is directed to consider the representation submitted by the petitioner dated 15.10.2014 and after notice to the petitioner and respondents 3 & 4, shall pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

7.The Writ Petition is disposed of accordingly. No costs. Consequently connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

Dated:16.2.15

True Copy

Sub Assistant Registrar

To

1.The Chairman
Tamilnadu Slum Clearance Board
Kamarajar Road, Chennai 600 005.

2.The Managing Director
Tamilnadu Slum Clearance Board
Kamarajar Road, Chennai 600 005.

+1 cc to M/s.R.S.Mohan, Advocate,SR.6206

+1 cc to Mr.B.Kesavan, Advocate,SR.6496

+1 cc to M/s.S.Kingston Jerold, Advocate,SR.6487.

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krd 18/2

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