

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.09.2015

CORAM

THE HON'BLE Mr. JUSTICE M.M.SUNDRESH

W.P.No.30463 of 2014  
& M.P.No.1 of 2014

Anna Makkal Nala Sangam,  
Perumpakkam, Rep.by the President  
V.Chinnaiah, Perumbakkam Village,  
Sholinganallur Taluk,  
Kancheepuram District. ..Petitioner

Vs.

- 1.The District Collector,  
Kancheepuram District,  
Kancheepuram.
- 2.The Tahsildar,  
Sholinganallur Taluk,  
Kancheepuram District.
- 3.Tamil Nadu Slum Clearance Board,  
Rep. by the Chairman,  
Kamaraj Salai,  
Chennai-600 005.
- 4.The Superintending Engineer,  
Division-2, Tamil Nadu Slum Clearance Board,  
Semmancherry, Chennai-119.

.. Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the third respondent to issue the allotment order to all 147 members of the petitioner in Perumbakkam Scheme by considering that they were residing for the last 2 decades and evicted from their premises in Nookampalayam, Anna Street, Nethaji Nagar, Muthamizh Nagar, Krishnaveni Nagar coming under Ward No.3 of Perumbakkam Panchayat, Sholinganallur Taluk, Kancheepuram District.

|                 |    |                                |
|-----------------|----|--------------------------------|
| For Petitioner  | .. | Mr.M.Rajendiran                |
| For Respondents | .. | Mr.A.Kumar,                    |
|                 |    | Special Government pleader for |
|                 |    | R1 & R2                        |

Mr.B.Kesavan for R3 & R4

ORDER

This is the third round of litigation. The earlier litigation was sought by way of filing W.P.No.776 of 2010. Challenging the same, the petitioner filed Writ Appeal in W.A.No.2488 of 2010. Thereafter, the petitioner filed W.P.No.21989 of 2011. For non-compliance of the order made in W.P.No.21989 of 2011, the petitioner has filed contempt Petition in C.P.No.753 of 2013. In pursuant to the reply given on 17.09.2014, the petitioner has come forward to file this writ petition.

2. In the counter affidavit, it has been stated that allotment was given to 83 persons. The request made by the remaining persons could not be considered on the ground that either they did not have sufficient records or the records produced were found to be not genuine and relevant.

3. The learned counsel appearing for the petitioner submitted that the petitioner may be permitted to make a representation enclosing all the relevant documents as 147 persons have been fighting for their rights for several years. He further submitted that some of the houses were demolished as they could not produce relevant documents at that point of time.

4. Considering the facts and circumstances of the case, this Court is not willing to go into the disputed question. However, the petitioner is directed to give a detailed representation to the respondents 3 and 4 by enclosing the necessary documents. Thereafter, respondents 3 and 4 shall pass appropriate orders, by perusing the documents to be filed and after giving opportunity of hearing to the members of the petitioner individually, within a period of eight weeks from the date of receipt of fresh applications from the Members of the petitioner-Association. It is made clear that this Court has not expressed anything on merit. If the respondents 3 and 4 found that the said members are similarly placed like that of persons, who have been given allotment, then the said benefit shall be extended to such persons.

5. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-  
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

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To

1.The District Collector,  
Kancheepuram District,  
Kancheepuram.

2.The Tahsildar,  
Sholinganallur Taluk,  
Kancheepuram District.

3. The Chairman,  
Tamil Nadu Slum Clearance Board,  
Kamaraj Salai, Chennai-600 005.

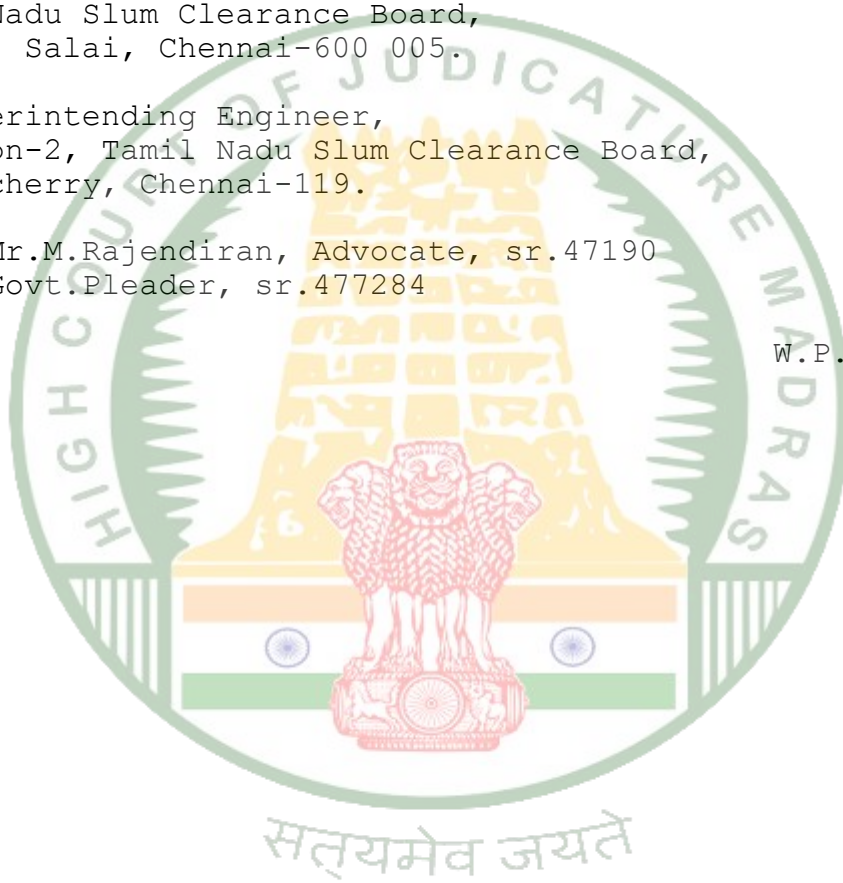
4.The Superintending Engineer,  
Division-2, Tamil Nadu Slum Clearance Board,  
Semmancherry, Chennai-119.

+1 cc to Mr.M.Rajendiran, Advocate, sr.47190

+1 cc to Govt.Pleader, sr.477284

W.P.No.30463 of 2014

vgi co  
kra 15/09



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