

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 20-07-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.21612 OF 2015

Egavalli

...Petitioner

-vs-

1.The Chairman,
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Chennai-600 005.

2.The Managing Director,
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Chennai-600 005.

...Respondents

Writ Petition has been filed, praying for issuance of a writ of mandamus, directing the respondents to dispose of the representation of the petitioner, dated 15.01.2013, in terms of the decree of the Civil Court, dated 09.03.2011, made in O.S.No.5020 of 2001 on the file of II Assistant Judge, City Civil Court, Chennai.

For petitioner : Mr.M.P.Jayaprakash

For respondents : Mr.B.Kesavan,
Standing Counsel.

O R D E R
सत्यमेव जयते

By consent, the Writ Petition is taken up for final disposal.

2. It is the claim of the petitioner that his father was allotted a plot in No.777 and 778, situated at Nethaji Nagar, Tondiarpet, Chennai-600 081, under Tamil Nadu Madras Urban Development Scheme and he died, leaving behind the petitioner, her mother and sister, as the legal heirs. The petitioner would further state that since there was no amicable settlement for partition of the said property, she filed a suit in O.S.No.5020 of 2001 on the file of II Assistant Judge, City Civil Court, Chennai, and a decree was passed therein on 09.03.2011, and armed with the said decree, she submitted a representation, dated 15.01.2013, to the respondents, requesting for allotment of the said plot, and since she has not been favoured with any kind response, she has come forward to file this Writ Petition.

3. Learned counsel for the petitioner would submit that apart from representation, the petitioner also sent a legal notice on 28.05.2014 to the respondents and, in spite of the same, there is no response from the respondents.

4. Heard the submissions of Mr.M.P.Jayaprakash, learned counsel for the petitioner; and Mr.B.Kesavan, learned Standing Counsel, who accepted notice on behalf of the respondents.

5. This Court, taking into consideration the limited scope of the prayer and without going into the merits of the claim projected by the petitioner, directs the second respondent to consider and dispose of the petitioner's representation, dated 15.01.2013 as well as the legal notice, dated 28.05.2014, in accordance with law, and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

6. Writ Petition is disposed of accordingly. No costs. Consequently, the connected M.P.No.1 of 2015 is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrardixit

To

- 1.The Chairman,
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Chennai-600 005.
- 2.The Managing Director,
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Chennai-600 005.
3. The II Assistant Judge, City Civil Court, Chennai.

+1cc to Mr.B. Kesavan vide, Advocate, S.R.No.36552

SKV(CO)
EU 04.08.15

W.P.No.21612/2015