

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2015

CORAM:

THE HON'BLE MR. JUSTICE R. MAHADEVAN

W.P.No.26048 of 2015

Sumathy

[Petitioner]

Vs

1 The Chairman,
Tamil Nadu Slum Clearance Board
Kamarajar Salai,
Chennai 600 005.

2 The Estate Officer - IV
Tamil Nadu Slum Clearance Board,
Thiyagaraya Salai,
Opp. Alayamman Koil,
Teynampet,
Chennai 600 017.

3 The Revenue Inspector,
Tamil Nadu Slum Clearance Board,
Thiyagaraya Salai,
Opp. Alayamman Koil,
Teynampet,
Chennai 600 017.

4 The Billing Collector,
Tamil Nadu Slum Clearance Board,
Thiyagaraya Salai,
Opp. Alayamman Koil,
Teynampet,
Chennai 600 017.

[Respondents]

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the respondents 1 and 2 to dispose of the representation dated 15.04.2015 and legal notice dated 06.05.2015 for taking appropriate action against the 3rd and 4th respondents as per law within a time frame.

For petitioner :Ms.R.Aparna

For respondents:Mr.S.Prabhu, Standing Counsel (TNSCB)

O R D E R

Heard the learned counsel for the petitioner and the learned Standing Counsel, who took notice for the respondent Board and with their consent, the main writ petition itself is taken up for hearing.

2. This writ petition has been filed seeking a direction to the respondents 1 and 2 to dispose of the representation of the petitioner dated 15.04.2015 and the legal notice dated 06.05.2015 for taking appropriate action against the 3rd and 4th respondents, as per law, within a time frame.

3. The petitioner is a resident of Flat No.15, I Block, Thilak Street, Ramakrishnapuram, T.Nagar, Chennai 17 for the past several years. It appears that the petitioner has given a complaint to the 2nd respondent against one Vijayakumar and his wife Anitha regarding illegal occupation of Flat No.14, I Block in the above said area, contrary to condition No.10 of the allotment letter issued by the Tamil Nadu Slum Clearance Board, wherein, it is stated that debars any allottee either to transfer, lease or sale of the allotted tenements to the third party without any written sanction and approval of the board. When such being the condition, it is the contention of the petitioner that the 3rd and 4th respondents who are hand in glove with the said neighbour, for the best reasons known to them, trying to blow off the entire issue of illegal occupation and also wants to give a quietus to the whole issue. Hence, the petitioner has sent a legal notice to the 2nd respondent with a copy to the 1st respondent on 06.05.2015 asking them to take appropriate action against the 3rd and 4th respondents. Since there is no progress, the petitioner is before this Court.

4. In view of the limited prayer sought for by the petitioner, without going into the merits of the matter, the respondents 1 and 2 are directed to dispose of the representation of the petitioner dated 15.04.2015, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after giving due opportunity to the petitioner and the necessary parties. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

- 1 The Chairman,
Tamil Nadu Slum Clearance Board
Kamarajar Salai,
Chennai 600 005.
- 2 The Estate Officer - IV
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Chennai 600 017.

+ 1 cc to Mr.R. Aparna, Advocate SR44741
+ 1 cc to S. Prabhu, Advocate Sr.45001

W.P.No.26048 of 2015

GGK(CO)
EU 30.09.15

सत्यमेव जयते

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