

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.09.2015

CORAM:

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
and
THE HON'BLE MR. JUSTICE K.K. SASIDHARAN

W.P. No.27928 of 2015

and

M.P.No.1 of 2015

V. Pachaiyappan

...Petitioner

Vs.

The Administrative Engineer
Tamil Nadu Slum Clearance Board
Division V, Teynampet,
Chennai 600 018

...Respondent

Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of certiorarified mandamus calling for the records of the impugned order in Na.Ko.No.401/DnV/AE/Sub. Dn. IV/15 Form A dated 18.08.2015 issued by the respondent herein and quash the same and to direct the respondent herein to allow the super structure extension about 60 sq. ft. attached with the petitioners allotment by the Slum Clearance Board situated in Ku.No.1, Block No.10, Jogi Garden, Nandhanam, Chennai 600 035, raised by the petitioner after encroached in the public place, on the basis of the petitioner's representation dated 26.08.2015.

For petitioner : Mr. Dalit Tiger C. Ponnusamy

For respondent : Mr. S. Prabhu

O R D E R

(delivered by SATISH K. AGNIHOTRI, J.)

Mr. S. Prabhu, learned Standing Counsel, accepts notice for the respondent. With the consent of the learned counsel for the parties, the writ petition is taken up for final disposal, at the admission stage itself.

2 The challenge in this writ petition is to the notice dated the 18th ultimo issued by the respondent under Rules 4 and 5 of the Tamil Nadu Slum Clearance Board Properties Control Administration, 1971, whereby and whereunder, the petitioner has been called upon to file his explanation within a fortnight as to why he may not be evicted from the alleged illegal occupation. Pursuant thereto, the petitioner has submitted his explanation on the 26th ultimo and also on the 27th ultimo. From a perusal of the records, it transpires that no consequential order has been passed thereafter.

3 Given the fact situation, as aforesated, the respondent is directed to consider the petitioner's explanation dated the 26th and 27th ultimo and pass appropriate orders, adverting to each and every objection/issues raised by the petitioner and take consequential action thereafter.

4 The writ petition stands disposed of with the above direction. Costs made easy. Connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

cad

To

The Administrative Engineer
Tamil Nadu Slum Clearance Board
Division V
Teynampet, Chennai 600 018

1 CC to Mr. Dalit Tiger C. Ponnusamy, Advocate SR.No. 47756

1 CC to Mr. S. Prabhu, Advocate SR.No. 48538

W.P. No.27928 of 2015

KU (CO)

PSI (24.09.2015)