

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 16.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.7289 of 2015

Sundari

.. Petitioner

Versus

1. The Secretary,
Government of Tamil Nadu,
Housing and Urban Land Development Department,
Fort St. George, Chennai - 600 009.

2. The Managing Director,
Tamil Nadu Slum Clearance Board,
No. 51, Kamaraj Salai, Triplicane,
Chennai - 600 005.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of MANDAMUS to consider the petitioner's representation dated 23.12.2014.

For Petitioner : Mr.A.M.Ayyaduari

For Respondents: Mr.M.L.Mahendran,
Govt. Advocate for R1
Mr.R.V.Babu for R2

ORDER

Heard Mr.A.M.Ayyaduari, learned counsel for the petitioner and Mr.M.L.Mahendran, learned Government Advocate who took notice for the 1st respondent and Mr.R.V.Babu, learned Standing counsel, who took notice for the 2nd respondent and with their consent, the writ petition is disposed of at the admission stage itself.

2. The petitioner has filed this writ petition seeking a writ of mandamus to direct the respondents to consider the representation dated 23.12.2014.

3. The petitioner's case is that she belonged to Adi-dravida Community and her husband Rathnakumar died during 1987 and she is living with her son and daughter at Vadapalani. It is stated that the Government evicted the persons residing in the said area

with an assurance to grant an alternate site. According to the petitioner, she was also identified as one of the persons in occupation and a token was issued by the 2nd respondent and 32 others. However, till date, she has not been granted an alternate site, though the other persons were issued token and have been granted alternate sites. In this regard, several representations have been given by the petitioner from the year 1990 onwards and the last of such representation is dated 23.12.2014.

4. In the light of the above, without going into the merits of the petitioner's claim, the 2nd respondent is directed to verify as to whether the petitioner was enlisted as one of beneficiaries and as to whether it is factually correct that she was issued a token for grant of an alternate site and if the same is factually correct, then the 2nd respondent shall take appropriate action in accordance with law and issue necessary allotment. However, if the 2nd respondent on verification finds that the petitioner is not eligible for any valid reason, then the 2nd respondent shall pass an order and communicate the same to the petitioner. The above direction shall be complied with, within a period of six weeks from the date of receipt of a copy of this order.

5. The writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rg/gya

To

1. The Secretary,
Government of Tamil Nadu,
Housing and Urban Land Development Department,
Fort St. George, Chennai - 600 009.

2. The Managing Director,
Tamil Nadu Slum Clearance Board,
No. 51, Kamaraj Salai, Triplicane,
Chennai - 600 005.

1 cc to Government Pleader, Sr.No14064

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mp(co)pmk.7.4.2015