



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :14.09.2015

CORAM

THE HONOURABLE **MR.JUSTICE R.SUBBIAH**

W.P(MD).No.16557 of 2015

M.Gemila

...Petitioner

Vs.

The Executive Engineer & Administrative Officer,
Tamil Nadu Slum Clearance Board,
Madurai Division,
169, K.K.Nagar Main Road,
Madurai - 625 020

...Respondent

This Writ Petition has been filed praying for a Writ of Mandamus directing the respondent to allot a house to the petitioner at the ground floor of one of the apartments built under JNNURM (Jawaharlal Nehru National Urban Renewal Mission) Scheme by Tamil Nadu Slum Clearance Board at Rajakkur Village, Madurai on the basis of the representation of the petitioner, dated 11.07.2015.

For petitioner : Mr.S.Sankarapandian

For Respondent : Mr.P.Mahendran

ORDER

The Writ Petition has been filed praying for a Writ of Mandamus directing the respondent to allot a house to the petitioner at the ground floor of one of the apartments built under JNNURM (Jawaharlal Nehru National Urban Renewal Mission) Scheme by Tamil Nadu Slum Clearance Board at Rajakkur Village, Madurai on the basis of the representation of the petitioner, dated 11.07.2015.

2. Mr.P.Mahendran, learned counsel takes notice for the respondent.

3. By consent, this Writ Petition itself is taken up final disposal.

4.It is averred in the petition filed in support of the Writ Petition that the Tamil Nadu Housing Board continues to formulate several schemes and JNNURM Scheme, at Rajakkur Village under Madurai Division is one such scheme, in which, 1566 houses have been constructed for the benefit of the needy people. Totally 1216 were identified by the Commissioner, Madurai Corporation, Madurai. The respondent has also passed an order to allot house to 154 beneficiaries at Periyar Nagar, Rajakkur and the name of the petitioner is found place at No.27 in the list of beneficiaries. The petitioner is having knee pain and her husband is suffering from heart ailment and hence they cannot climb up the stairs, in case a house at the 1st, 2nd or 3rd floor is allotted. Hence, the petitioner made a representation, dated 11.07.2015 to the respondent to allot a house at the ground floor so that the elderly people in her family will be benefited.



5. When the matter is taken up consideration, the respondent opposed to grant such a direction.

6. However, considering the facts and circumstances of the case, I find that a direction could be given to the respondent to consider the representation of the petitioner, on merits and in accordance with law and pass appropriate orders by affording an opportunity of hearing to the petitioner, within a period of four weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion on the claim made by the petitioner and it is for the respondent to pass orders purely on merits.

With the above direction, the Writ Petition is disposed of. No Costs.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

The Executive Engineer & Administrative Officer,
Tamil Nadu Slum Clearance Board,
Madurai Division,
169, K.K.Nagar Main Road,
Madurai - 625 020.

+1cc to M/S.S.Sankarapandian, Advocate in SR.No 53879

+1cc to M/S.P.Mahendran, Advocate in SR.No.54157

TS/23.09.2015/2P - 4C AAL-MPA

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14.09.2015