

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.10239 of 2016

V.Chinnaraj

... Petitioner

Vs.

1.The Secretary to Government,
Tamil Nadu Housing and Urban
Welfare Department,
Secretariat, Chennai - 09.

2.The Managing Director,
Tamil Nadu Slum Clearance Board,
Chennai - 05.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the petitioner representation dated 07.03.2016 within stipulated period by the respondents and consequently direct the second respondent to allot the house to the petitioner at No.405, 13th block at Kasipuram, 'A' Block, Kasimedu, Chennai - 13, under remuneration slum scheme based on the petitioner house allotment order in his proceedings Na.Ka.No.G2/10389/96-dated 29.05.1998 issued by the second respondent.

For Petitioner : Mr.T.V.G.Kartheeban

For Respondents: Mrs.P.Rajalakshmi for R1
Government Advocate
Mr.S.Prabhu for R2

O R D E R

The Writ Petition has been filed for issuance of a Writ of Mandamus for a direction to the respondents to consider the petitioner's representation dated 07.03.2016 within stipulated period by the respondents and consequently direct the second respondent to allot the house to the petitioner at No.405, 13th block at Kasipuram, 'A' Block, Kasimedu, Chennai - 13, under remuneration slum scheme based on the petitioner house allotment order in his proceedings Na.Ka.No.G2/10389/96-dated 29.05.1998 issued by the second respondent.

2.It is the case of the petitioner that he was allotted the house at door No.422, at Power Kuppam-II Area Scheme Houses based on Slum Remuneration Scheme vide proceedings of the second respondent in Na.Ka.No.G2/10389/96, dated 29.05.1998 temporarily. But house was not allotted to the petitioner as per the allotment order. In this regard, the petitioner approached the Tamil Nadu Slum Board Chairman and the second respondent herein on several occasions. But, he was informed that after the building extension at Kasipuram 'A' Block, Kasimedu, Chennai - 13 is over, he will be allotted the house premises by the Tamil Nadu Slum Board Chairman. Now, extension building consisting of 379 houses were also constructed at Kasipuram 'A' Block, Kasimedu, Chennai - 13 and 277 houses were allotted to the co-allottees. Hence, the petitioner gave a representation dated 07.03.2016 to the respondents for allotment of vacant house under Slum Remuneration Scheme. Since the said representation is still pending, the petitioner has filed this Writ Petition for the above relief.

3.Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the first respondent and the learned counsel appearing for the second respondent, who took notice for the respondents.

4.Considering the factual aspects of the matter, without going into the merits of the case, this Writ Petition is disposed of, with a direction to the second respondent to consider the petitioner's representation, dated 07.03.2016 and after giving an opportunity of personal hearing to the petitioner and necessary parties, dispose of the said representation, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1.The Secretary to Government,
Tamil Nadu Housing and Urban Welfare Department,
Secretariat, Chennai - 09.

2.The Managing Director,
Tamil Nadu Slum Clearance Board, Chennai - 05.
+ 1 cc to Mr.T.V.G.Kartheeban, Advocate Sr.17460

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ALA (CO)

EU 05.04.16