

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.03.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.10831 of 2016

S.Kuppulakshmi

... Petitioner

vs.

1.The Secretary to Government,
Tamil Nadu Housing and Urban
Welfare Department,
Secretariat, Chennai-9.

2.The Managing Director,
Tamil Nadu Slum Clearance Board,
Chennai-5.

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus direction to consider the petitioner representation dated 3.3.2016 within stipulated period by the respondents and consequently direct the second respondent to allot the house to the petitioner at No.499, I Block, 3rd Floor, G.M.Pettai, Kasimedu, Chennai-13.

For Petitioner : Mr.T.V.G.Kartheeban
For Respondents : Mrs.P.Rajalakshmi,
Govt. Advocate.

ORDER

By consent, the main writ petition itself is taken up for final disposal.

2. The petitioner has come up with the present writ petition for a mandamus, directing the respondents to consider her representation dated 3.3.2016, within a stipulated period fixed by this Court and consequently, to direct the second respondent to allot the house at No.499, 'I' Block, 3rd Floor, G.M.Pettai, Kasimedu, Chennai-13, in her favour.

3. It is the case of the petitioner that she was victimized in t-sunami national disaster on 26.12.2004. Her family was residing in a hut at Indira Nagar Pallam, G.M.Pettai,

Kasimedu, Chennai, for about 30 years. In the year 2007, the said hut along with 540 huts, was burnt, due to which, she lost her entire properties. Subsequently, she is residing in a temporary house plot for the past six years at No.499, 'I' Block, Tamil Nadu Slum Clearance Board House Plots, G.M.Pettai, Royapuram, Chennai, allotted by the second respondent. Later, an enquiry was conducted by the Estate Officer-I, Royapuram, Chennai about her family status and a report was also forwarded to the second respondent observing that she is residing in the temporary house plots. Subsequently, she was informed to contact the second respondent to know about her permanent house allotment by the Estate Officer-I, Royapuram, Chennai. Though she approached the second respondent on several occasions for allotment of permanent house site, the second respondent has not allotted the same. In this regard, she gave a representation to the respondents on 3.3.2016 in person and the same is still pending. Hence, left with no other alternative, the petitioner has come up with the present writ petition seeking a direction to the respondents to consider her representation dated 3.3.2016, within a stipulated period fixed by this Court and consequently, to direct the second respondent to allot the house at No.499, I Block, 3rd Floor, G.M.Pettai, Kasimedu, Chennai-13, in her favour.

4. I have heard the learned counsel appearing for the petitioner and the learned Government Advocate, who has taken notice on behalf of the respondents.

5. Considering the facts and circumstances of the case and considering the submissions made on either side, without going into the merits of the claim made by the petitioner, this Court directs the second respondent to consider the representation of the petitioner dated 3.3.2016 and pass appropriate orders, on merits and in accordance with law, by affording an opportunity of personal hearing to the petitioner as well as to the necessary parties, if any, within a period of twelve weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

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Sd/-
Assistant Registrar(J)

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Sub Assistant Registrar

sbi

To

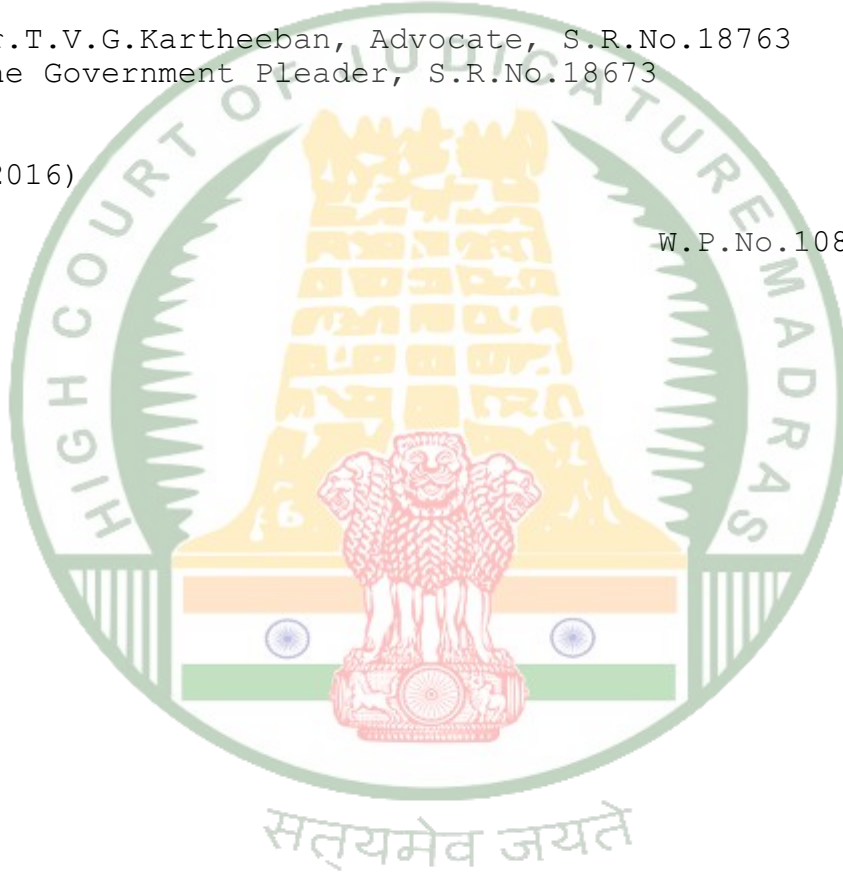
1.The Secretary to Government,
Tamil Nadu Housing and Urban
Welfare Department,
Secretariat, Chennai-9.

2.The Managing Director,
Tamil Nadu Slum Clearance Board,
Chennai-5.

+lcc to Mr.T.V.G.Kartheeban, Advocate, S.R.No.18763
+lcc to the Government Pleader, S.R.No.18673

VGI(CO)
EU(11/04/2016)

W.P.No.10831 of 2016



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