

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.04.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.13297 of 2016

S.Gunavathi

... 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 31.3.2016 within stipulated period by the respondents and consequently direct the second respondent to issue allotment order in petitioner house premises at No.499, I Block, 4th Floor, G.M.Pettai, Kasimedu, Chennai-13.

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

For Respondents : Mr.M.Dig Vijaya Pandian,
Addl. Govt. Pleader.

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 31.3.2016, within a stipulated period fixed by this Court and consequently, to direct the second respondent to issue allotment order to the house premises at No.499, I Block, 4th Floor, G.M.Pettai, Kasimedu, Chennai-13.

3. It is the case of the petitioner that she and her family members were residing in a hut at Indira Nagar Pallam, G.M.Pettai, Kasimedu, Chennai-13, for nearly 20 years. In the year 2007, her hut along with 540 huts suddenly got destroyed in

fire and all her household articles were damaged. Thereafter, she was allotted a house at Door No.499, Indira Nagar, G.M.Pettai, Kasimedu Slum Clearance Board Quarters. Though she is continuously residing in the said premises, the respondents have not issued necessary allotment order in her favour. In this regard, the petitioner made several representations to the respondents seeking allotment order in her favour. But, the same was not considered. Finally, she gave a representation dated 31.3.2016 to the respondents to issue allotment order in her favour. Since the same was also not considered, 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 31.3.2016, within a stipulated period fixed by this Court and consequently, to direct the second respondent to issue allotment order to the house premises at No.499, I Block, 4th Floor, G.M.Pettai, Kasimedu, Chennai-13.

4. I have heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader, 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 31.3.2016 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 six weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

To

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

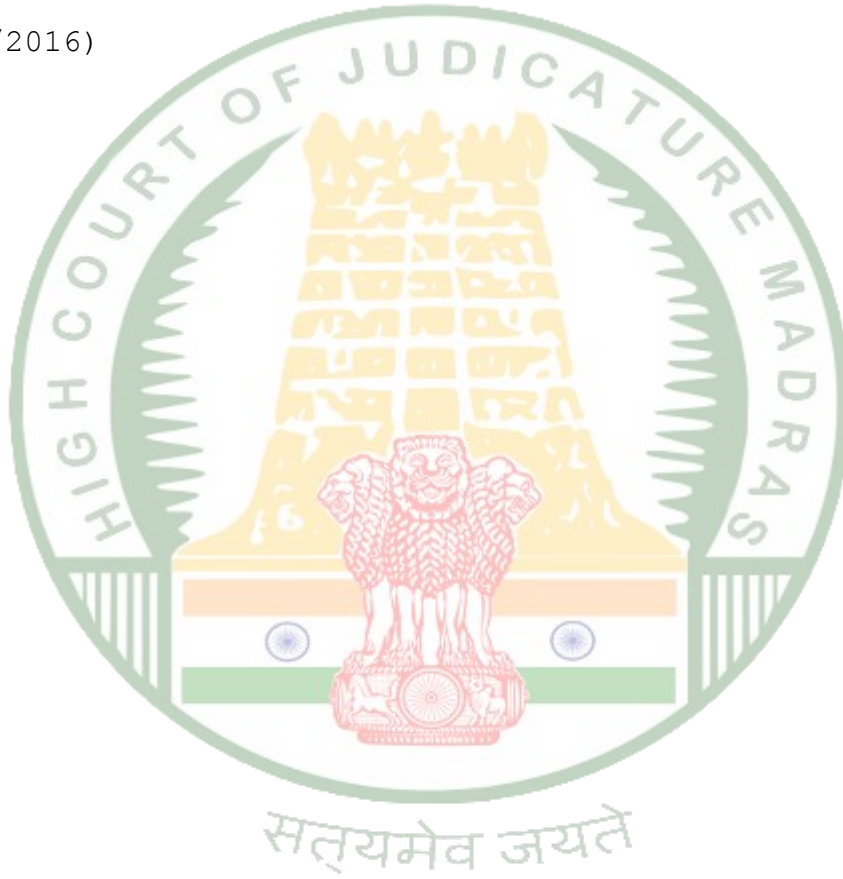
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2.The Managing Director,
Tamil Nadu Slum Clearance Board,
Chennai-5.

+1cc to Mr.T.V.G.Kartheeban, Advocate, S.R.No.22555
+1cc to the Government Pleader, S.R.No.22766

W.P.No.13297 of 2016

cnr (CO)
srg (25/04/2016)



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