

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.04.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.13384 of 2016

G.Chandru

... 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's representation dated 31.3.2016 within stipulated period by the respondents and consequently direct the second respondent to issue allotment order to the petitioner temporary house premises at No.484, I Block, Ground 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 his 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 his temporary house premises at No.484, I Block, Ground Floor, G.M.Pettai, Kasimedu, Chennai-13.

3. It is the case of the petitioner that he and his 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, his hut along with 540 huts suddenly got destroyed in fire and all his household articles were damaged. Thereafter, he was allotted a temporary house at Door No.484, Indira Nagar, G.M.Pettai, Kasimedu Slum Clearance Board Quarters. Though he was continuously residing in the said premises for the past six years, the respondents have not issued necessary allotment order in his favour. When he enquired about the same, he came to know that an enquiry report about his family status was forwarded to the second respondent by the Estate Officer-I, Tamil Nadu Slum Clearance Board, Royapuram, Chennai-13. In this regard, the petitioner made several representations to the respondents seeking allotment order in his favour. But, the same was not considered. Finally, he gave a representation dated 31.3.2016 to the respondents to issue allotment order in his 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 his 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.484, I Block, Ground Floor, G.M.Pettai, Kasimedu, Chennai-13.

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 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//

Sub Assistant Registrar

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.22554

+lcc to the Government Pleader, S.R.No.23168

W.P.No.13384 of 2016

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



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