

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.06.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.22661 of 2016
and W.M.P.No.19363 of 2016

1.Erode District Amaipu Sara Thozhilalar
Munnaetra Sangam,
Rep. by its Vice-President,
Son of Kuttyappan, R.N.Pudur Post,
Sooriyampalayam,
Erode - 638 005.

2.K.Ramasamy

Vs.

Petitioners

1.The Chairman/Managing Director,
Tamil Nadu Slum Clearance Board,
Chennai.

2.The District Collector,
Collectorate, Erode District.

3.The Executive Engineer,
Tamil Nadu Slum Clearance Board,
Salem.

4.The Executive Engineer,
Tamil Nadu Slum Clearance Board,
Coimbatore.

5.The Assistant Executive Engineer,
Tamil Nadu Slum Clearance Board,
Erode.

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Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 2nd respondent to allot the houses to the identified 151 beneficiaries of the petitioner association in view of the order passed by this Court in W.P.No.14244 of 2011 dated 07.11.2012.

For Petitioners : Mr.M.Guruprasad
For R1, 3, 4 & 5 : Mrs.R.Latha for
Slum Clearance Board
For R2 : Mr.V.S.Ramesh
Government Advocate

O R D E R

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

2 The deponent of the affidavit, viz., the 2nd petitioner herein, on an earlier occasion, in his individual capacity, had filed WP.No.14244/2011 against the respondents praying for issuance of a writ of mandamus, directing the 2nd respondent herein to issue allotment orders to the members of the "Amaipu Sara Thozhilalar Munnettra Sangam, Suripalayam", who were included in the Beneficiary List prepared by the 4th respondent. This Court, vide order dated 07.11.2012, had disposed of the said writ petition, by directing the 2nd respondent to identify the names of the beneficiaries of the said Association and forward the same to the 1st respondent within a period of four weeks from the date of receipt of a copy of that order and the 1st respondent was directed to take a decision on merits and in accordance with law within a further period of eight weeks from the date of receipt of the list of beneficiaries of the Sangam sent by the 2nd respondent. The grievance expressed by the 1st petitioner Sangam is that despite such a direction, the list of beneficiaries have been prepared at the own whims and fancies of some interested officials and in this regard, the petitioners submitted a representation dated 06.06.2016 to the 1st respondent for allotment of the tenements to the beneficiaries and since no action has been taken, the petitioners came forward to file the present writ petition.

3 Heard the learned counsel for the petitioner and MR.V.S.Ramesh, learned Government Advocate who accepts notice on behalf of the 2nd respondent and M/s.D.Latha, learned Standing Counsel for the respondents 1, 3, 4 and 5.

4 Though the petitioner has prayed for a larger relief, this Court, in the light of the facts and circumstances and without going into the merits of the same, directs the 2nd

respondent to consider and dispose of the petitioners' representation dated 06.06.2016 on merits and in accordance with law and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as to the respondents 1, 3 to 5.

5 The writ petition is disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

- 1.The Chairman/Managing Director,
Tamil Nadu Slum Clearance Board,
Chennai.
 - 2.The District Collector,
Collectorate, Erode District.
 - 3.The Executive Engineer,
Tamil Nadu Slum Clearance Board,
Salem.
 - 4.The Executive Engineer,
Tamil Nadu Slum Clearance Board,
Coimbatore.
 - 5.The Assistant Executive Engineer,
Tamil Nadu Slum Clearance Board,
Erode.
- + 1 CC to Mr.M.Guruprasad, Advocate SR NO 37182[19/7/16]
+1cc to the Government Pleader Sr.37496

nr[co]
srg 18/07/2016

WP.No.22661/2016