

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.08.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.27706/2016 & WMP.No.23865/2016

S.Kannan

..

Petitioner

Vs.

1.The Chairman

Tamil Nadu Slum Clearance Board
No.5, Kamarajar Salai
Chennai 600 005.

2.The Estate Officer-4,

Tamil Nadu Slum Clearance Board
No.2, Thiagarayar Salai,
Teynampet, Chennai 600018.

..

Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the 1st respondent to consider and dispose of the representation of the petitioner dated 11.07.2016 for restoration of the bunk shop at Boopathy Nagar Project Area near "W" Block, Kodambakkam, Chennai 600024.

For Petitioner : Mr.G.Ravisankar

O R D E R

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

2 The father of the petitioner was allotted 100 sq.ft., in "W" Block, Kodambakkam, Chennai-34, vide proceedings of the Managing Director of the Tamil Nadu Slum Clearance Board dated 13.06.1991 in Na.Ka.P2/3087/90 and later on, it was found that he has encroached a further portion of 138 sq.ft. The Slum Clearance Board, having found that the encroachment done by the father of the petitioner causing nuisance and inconvenience to the local residents, called upon him to vacate the encroached portion vide letter dated 31.12.2015. The grievance expressed by the petitioner is that in spite of vacating / dispossessing the petitioner from the encroached portion, the entire bunk shop which include the original allotment of 100 sq.ft., has been removed and in this regard, the petitioner submitted a representation dated 11.07.2016 for restoration of ***238** sq.ft., of land for the purpose of putting up the bunk shop to the 1st respondent and since no orders have been passed, the petitioner

came forward to file the present writ petition.

3 This Court heard the submissions of the learned counsel for the petitioner and perused the materials placed on record.

4 Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, either in his representation or in this writ petition, directs the 1st respondent to consider and dispose of the petitioner's representation dated 11.07.2016, 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.

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

AP

s/d-

Assistant Registrar(CS-VI)

**Corrected as per order of
this court dated 31.08.2016
made herein.**

Sd/-

**Assistant Registrar(CCC)
08.09.2016**

True Copy

Sub-Assistant Registrar

To

1.The Chairman
Tamil Nadu Slum Clearance Board
No.5, Kamarajar Salai
Chennai 600 005.

2.The Estate Officer-4,
Tamil Nadu Slum Clearance Board
No.2, Thiagarayar Salai,
Teynampet, Chennai 600018.

To be substituted
to the order already
despatched on
20.08.2016 and made
herein.

+ 1 cc to Mr.G.Ravishankar, Advocate SR *49462

rsy(co)
prk24/8

W.P.No.27706/2016