

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.3529 of 2016

and

WMP.No.2891 of 2016

Dr.Ambedkar Kudisaivalvor Nala Sangam
represented by its President
Bhavani ... Petitioner

vs.

1.The Government of Tamil Nadu,
represented by its Secretary,
Department of Housing,
Fort St. George,
Chennai 600 009.

2.The Managing Director,
Tamil Nadu Slum Clearance Board,
Kamarajar Salai,
Chennai 600 005. Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to consider the representations of the petitioner dated 03.11.2015 and 30.12.2015 in accordance with law by directing the respondents to allot the houses to all the 79 members of the petitioner Sangam in Aranganathapuram Kudiyruppor, Korukkupet, Chennai- 600 021 to secure the ends of justice.

For Petitioner : Mr.R.Sankarasubbu
For Respondents : Mr.S.Navaneethan, AGP (R1)
Mr.R.V.Babu (R2)

ORDER

The petitioner has come up with the present writ petition for a mandamus, directing the respondents to consider the representations of the petitioner dated 03.11.2015 and 30.12.2015 in accordance with law and to allot the houses to all

the 79 members of the petitioner Sangam in Aranganathapuram Kudiyruppor, Korukkupet, Chennai- 600 021.

2. It is the case of the petitioner that the petitioner is a registered Sangam and their members were having huts near Aranganathapuram Slum Clearance Board Kudiyruppu. Since the houses of Aranganathapuram Kudiyruppu had become dilapidated, a proposal was made to reconstruct those houses, during the course of which, the huts of the members were also enumerated and tokens were also given to all 79 members, with an assurance to accommodate them in the new houses. Pursuant to the same, the huts were demolished and 120 houses were reconstructed in the third floor of Aranganathapuram Kudiyruppu, Korukkupet, Chennai. However, the members of the petitioner were not allotted the new houses, as promised by the respondents. Therefore, the petitioner made representations dated 03.11.2015 and 30.12.2015 to allot the newly constructed houses to their members. Since the same were not considered by the respondents, the petitioner has filed the present writ petition for the above stated relief.

3. When the matter came up for consideration, the learned counsel for the second respondent Board submitted that the newly constructed houses would be allotted, on the basis of the token given to the petitioner.

4. In view of the above, this Court, without going into the merits of the claim made by the petitioner, directs the respondents to consider the representations of the petitioner dated 03.11.2015 and 30.12.2015, by affording an opportunity of personal hearing to the necessary parties and pass appropriate orders with regard to allotment of the houses to the members of the petitioner. It is made clear that this Court is not expressing any opinion with regard to the merits of the claim made by the petitioner and it is for the respondents to pass appropriate orders purely on merits and in accordance with law. The entire exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

5. The writ petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

rk

To

1.The Secretary to Government
Department of Housing,
Fort St. George,
Chennai 600 009.

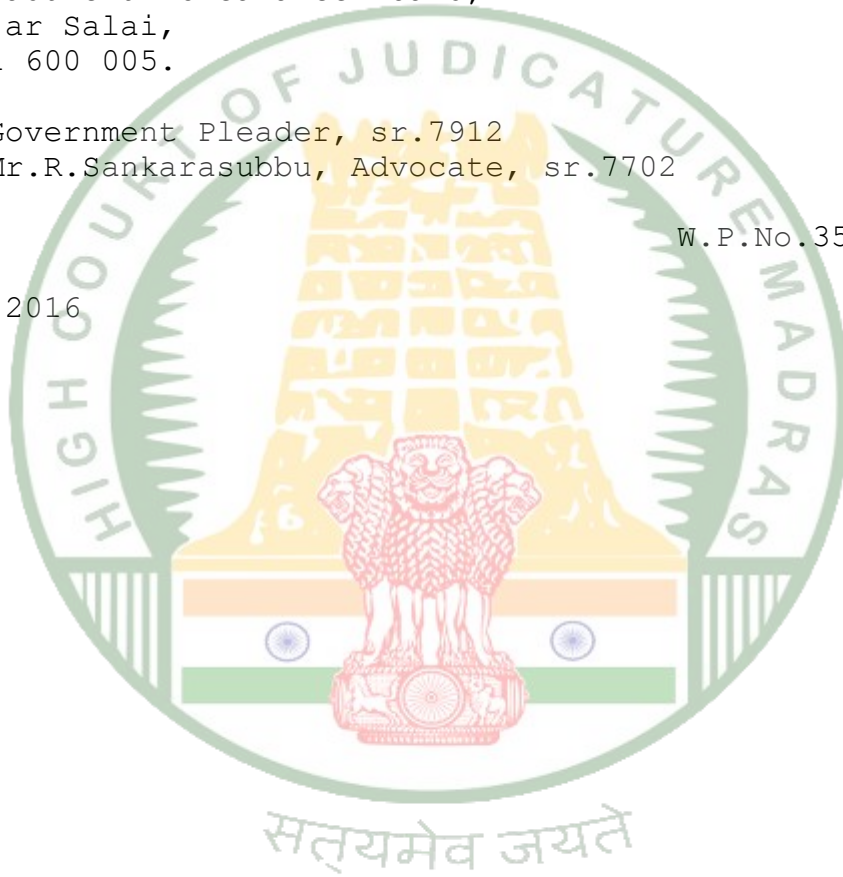
2.The Managing Director,
Tamil Nadu Slum Clearance Board,
Kamarajar Salai,
Chennai 600 005.

+1 cc to Government Pleader, sr.7912

+1 cc to Mr.R.Sankarasubbu, Advocate, sr.7702

W.P.No.3529 of 2016

tej co
kra 19.02.2016



WEB COPY