

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.10.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. No.36257 of 2016

G.Ragunathan

... Petitioner

-vs-

- 1.The Chairman,
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Chennai-600 005.
 - 2.The Superintending Engineer (Project)
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Chennai-600 005.
 - 3.Executive Engineer,
Tamil Nadu Slum Clearance Board (Division-III),
Sathiyamoorthy Nagar,
Vyasarpadi,
Chennai-600 039.
 - 4.Anandan
- ... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents 1 to 3 to consider the representation of the petitioner dated 11.7.2016 to evict encroacher the 4th respondent from his encroachment of the open places of land of TNSCB layout under Pachaikal Veerasamy Tenements Scheme, Ayanavaram, Chennai after removal of his unauthorized construction on the said open places of land of TNSCB under Rule 5 read with Rule 4(b) of T.N.Slum Clearance Board (Control and Management of Properties) Rules.

For Petitioner	:	Ms.L.Leela Raman for M/s.L.Sasireka
For Respondents	:	Mr.S.Prabhu for R1 to R3 Mr.R.Chellamuthu for R4

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

The learned counsel for the petitioner states that he has filed an affidavit that the representation made by him claims to be a fraudulent one was in respect of the alleged representation dated 18.08.2016 made to the office of the Chief Minister's Cell and not the representation dated 11.07.2016 in question.

2. In so far as the representation in question is concerned, the learned counsel for the Tamil Nadu Slum Clearance Board states that an inspection has been made and out of two, one is not an encroachment, which has been regularized, while the other is an encroachment, in respect of which, notice has been issued and action in accordance with law will be taken.

3. The learned counsel appearing for the private respondent No.4 states that he has already filed an appeal against Form-B notice.

4. We, thus, dispose of the writ petition with a direction to the Tamil Nadu Slum Clearance Board to proceed in accordance with law in respect of respondent No.4 within a maximum period of three months of the receipt of the copy of this Order. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

bbr

To

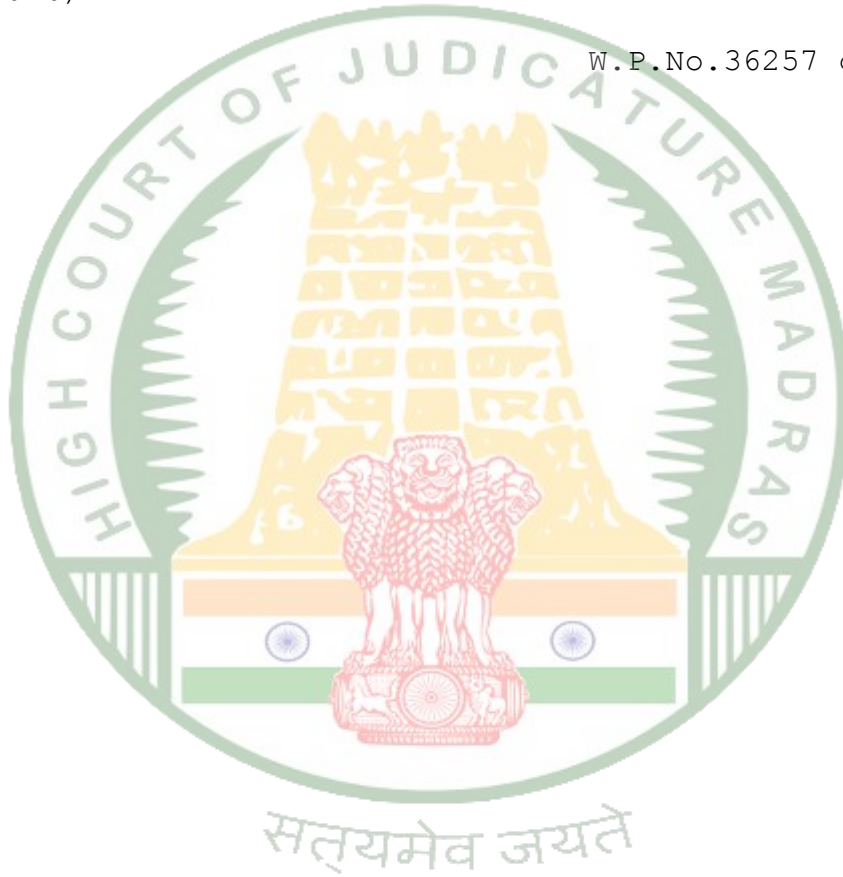
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3.Executive Engineer,
Tamil Nadu Slum Clearance Board (Division-III),
Sathiyamoorthy Nagar,
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Chennai-600 039.

+1cc to Mr.R. Chellamuthu, Advocate, S.R.No.61272
+1cc to Mr.S. Prabhu, Advocate, S.R.No.61324

sai (CO)
md (8/11/2016)

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