

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.5214 of 2016

M.Jeeva

... Petitioner

Vs.

1. The Secretary to Government,
Tamil Nadu Slum Clearance Board,
Secretariat, Chennai-09.

2. The Managing Director,
Tamil Nadu Slum Clearance Board,
Chennai-05.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus for a direction to consider the petitioner's representation, dated 05.02.2016 within stipulated period by the respondents and consequently direct the second respondent to allot the house to the petitioner at No.493, Ist Block, 3rd Floor, G.M.Pettai, Kasimedu, Chennai-13, under remuneration slum scheme, based on the petitioner's token No.124 issued by the second respondent herein.

For Petitioner : Mr.T.V.G.Kartheeban

For Respondents : Mr.R.V.Babu

ORDER

The Writ Petition has been filed for issuance of a Writ of Mandamus for a direction to consider the petitioner's representation, dated 05.02.2016 within stipulated period by the respondents and consequently direct the second respondent to allot the house to the petitioner at No.493, Ist Block, 3rd Floor, G.M.Pettai, Kasimedu, Chennai-13, under the remuneration slum scheme, based on the petitioner's token No.124 issued by the second respondent herein.

2. It is the case of the petitioner that her family members are residing under the hut for more than 20 years in Indira Nagar, Pallam, G.M.Pettai, Kasimedu, Chennai-13. On 04.12.2004,

the entire hut was removed from the said area by the second respondent, who issued token to the petitioner's mother in No.124 in respect of the house allotted by the Tamil Nadu Slum Clearance Board at G.M.Pettai, Kasimedu, Chennai-13. In the meantime, the petitioner's mother died on 04.01.2007. Even after a lapse of more than 11 years and inspite of the fact that the petitioner produced the Death Certificate and the Legal Heirship Certificate of her mother and also obtained no objection from the other legal heirs and though the verification of the genuineness of the Legal Heirship Certificate has also been done by the concerned authority, there is no house allotment to the petitioner by the second respondent. The petitioner came to know that house No.493 is being kept as vacant in 1st Block, 3rd Floor, Tamil Nadu Slum Clearance Board flats at G.M.Pettai, Kasimedu, Chennai-13. Hence, she gave a representation, dated 05.02.2016 to the respondents for allotment of the said vacant house under the slum remuneration scheme, based on the above said token number issued by the second respondent. Since the said representation is still pending, the petitioner has filed this Writ Petition for the above relief.

3. Heard the learned counsel for the petitioner and the learned counsel appearing for the respondents, who took notice for the respondents.

4. Considering the factual aspects of the matter, without going into the merits of the case, this Writ Petition is disposed of, with a direction to the second respondent to consider the petitioner's representation, dated 05.02.2016 and after giving an opportunity of hearing to the petitioner and necessary parties, dispose of the said representation, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-

सत्यमेव जयते
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

cs

To

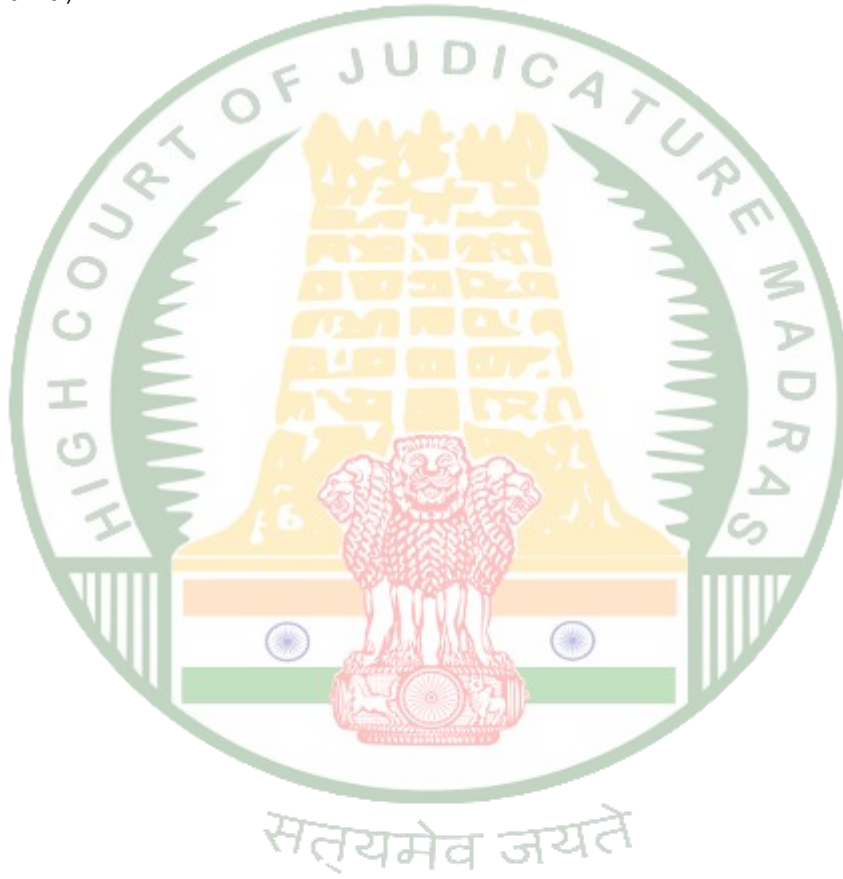
1. The Secretary to Government,
Tamil Nadu Slum Clearance Board,
Secretariat, Chennai-09.

2. The Managing Director,
Tamil Nadu Slum Clearance Board,
Chennai-05.

+1cc to Mr.T.V.G.Kartheeban, Advocate, S.R.No.9449

W.P.No.5214 of 2016

VSN(CO)
CA(26/02/2016)



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