

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.6449 of 2016

K.Jalakanda

.. Petitioner

Vs.

1.The Secretary to Government,
Tamil Nadu Slum Clearance Board,
Secretariat,
Chennai - 9.

2.The Project Manager,
Tamil Nadu Slum Clearance Board,
Chennai - 5.

..Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing to consider the petitioner's representation dated 12.02.2016 within stipulated period by the respondents and consequently, direct the second respondent to allot the petitioner's own occupied Tsunami bunk shop at HLL Nagar Scheme Area (Tsunami Quarters) HLL Nagar, New Washermenpet, Chennai-81, based on the earlier proceedings in Sa.Ka.No.10310/11-dated, 19.06.2013 and Na.Ka.No.B1/14027/07- dated 24.12.2014.

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

For R1 : Mr.V.Jayaprakash Narayanan,
Special Government Pleader

For R2 : Mr.R.V.Babu

ORDER

The petitioner has come up with the present writ petition for a mandamus, directing the respondents to consider the representation of the petitioner dated 12.02.2016 within stipulated period and consequently, directing the second respondent to allot her the tsunami bunk Shop occupied by her at HLL Nagar Scheme Area (Tsunami Quarters), HLL Nagar, New Washermenpet, Chennai-81, based on the earlier proceedings in Sa.Ka.No.10310/11-dated, 19.06.2013 and Na.Ka.No.B1/14027/07-dated 24.12.2014.

2. It is the case of the petitioner that she was affected by tsunami in the year 2004 and her family members died in that disaster and she lost her entire property. Due to her poor situation, she was allotted a house under HLL Tsunami emergent scheme houses at Door No.478, HLL Nagar, (Tsunami Quarters), New Washermenpet, Chennai - 81. She was also running a bunk shop, opposite to her house. While so, the second respondent has issued allotment orders to 34 co-occupiers of tsunami bunk shops, however, no allotment order was issued in respect of the petitioner's bunk shop. In this regard, the petitioner made a representation dated 12.02.2016, which is pending before the respondents. Therefore, the petitioner has filed the present writ petition for the above stated relief.

3. Heard the learned counsel for the petitioner, the learned Special Government Pleader for the first respondent and the learned counsel for the second respondent.

4. Considering the facts and circumstances of the case, this Court directs the respondents to consider the representation of the petitioner dated 12.02.2016, by affording an opportunity of personal hearing to the petitioner and pass appropriate orders. 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.
rk

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

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.

+ 1 cc to Mr.T.V.G.Kartheeban, Advocate Sr 11085
+ 1 cc to The Govt.Pleader, High Court, Mds. Sr 11390

KR/3/3/16

W.P.No.6449 of 2016