

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.7937 of 2016

D.Desammal

.. Petitioner

Vs.

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

2.The District Collector,
Chennai District, Singaravelar Maligai,
Chennai-1.

3.The Project Manager
Tsunami (Relief and Rehabilitation)
Ezhilagam, Chepauk, Chennai-5.

4.The Managing Director
Tamil Nadu Slum Clearance Board,
Chenna-5.

.. 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 22.02.2016 with in stipulated period by the respondents and consequently direct the fourth respondent allotted the permanent tsunami house to the petitioner at No.8, "E" Block, Notchi Nagar tsunami scheme area, Mylapore, Chennai-4 based on in his proceedings Na.ka.No.17149/M5/2008 dated Nil.02.2013, M5/17149/2008 dated Nil.03.2014.

For Petitioner : Mr.T.V.G.Kartheeban.
For Respondents : Mr.V.Jayaprakash Narayanan, Spl.GP.
Mr.R.V.Babu for R3 and R4.

O R D E R

The Writ Petition has been filed for issuance of a Writ of Mandamus for a direction to consider the petitioner's representation, dated 22.02.2016 with in stipulated period by

the respondents and consequently direct the fourth respondent allotted the permanent tsunami house to the petitioner at No.8, "E" Block, Notchi Nagar tsunami scheme area, Mylapore, Chennai-4 based on in his proceedings Na.ka.No.17149/M5/2008 dated Nil.02.2013, M5/17149/2008 dated Nil.03.2014.

2.It is the case of the petitioner that her family members had died and her entire property was lost in tsunami. The petitioner received the tsunami relief materials like rice, kerosene and other articles and her family members are residing at foot path of the road. The petitioner was living under the poverty line. Subsequently, the petitioner was selected to provide permanent tsunami house allotment and her name was placed in the recommendation of the second respondent as Serial No.171 and in 1st list her name was placed in Serial No.84, on that basis the petitioner was enquired and taken biometric process in proceedings Na.Ka.No.17149/M5/2008 dated Nil.02.2013, M5/17149/2008 dated Nil.03.2014 passed by the 4th respondent herein. The petitioner came to know that house No.8, "E" Block, Notchi Nagar tsunami scheme area, Mylapore, Chennai-4, was vacant. Hence, she gave a representation, dated 22.02.2016 to the respondents for allotment of the said vacant house under the permanent tsunami house allotment. 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 counsels 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 fourth respondent to consider the petitioner's representation, dated 22.02.2016 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/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

tsh

Copy to

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

2.The District Collector,
Chennai District, Singaravelar Maligai,
Chennai-1.

3.The Project Manager
Tsunami (Relief and Rehabilitation)
Ezhilagam, Chepauk, Chennai-5.

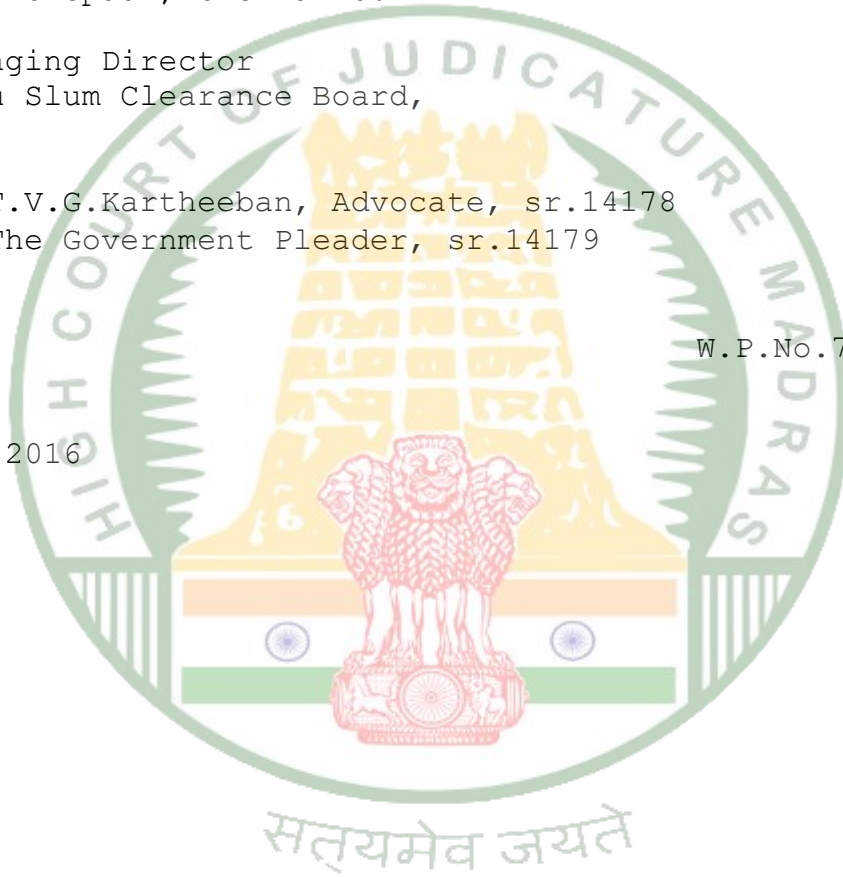
4.The Managing Director
Tamil Nadu Slum Clearance Board,
Chenna-5.

+1 cc to T.V.G.Kartheeban, Advocate, sr.14178

+1 cc to The Government Pleader, sr.14179

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jv co
kra 15.03.2016



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