

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

W.P.No.8052 of 2016

M.Annam

.. Petitioner

Vs.

1. The Secretary to Government,
Tamilnadu Housing & Urban
Welfare Department,
Secretariat, Chennai - 09

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

.. Respondents

(Cause title amended as per order
dated 30.03.2016 in W.M.P.No.10259/16)

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 23.02.2016 within stipulated period by the respondents and consequently direct the second respondent to allot the house to the petitioner at No.529, I block, Third floor, G.M.Pettai, Kasimedu, Chennai - 13.

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

For Respondents : Mr.S.Prabu

O R D E R

With the consent of both sides, the Writ Petition is taken up for final disposal.

2. The petitioner has come forward with the present Writ of Mandamus directing the respondents to consider the petitioner's representation dated 23.02.2016 and consequently direct the second respondent to allot a house to the petitioner.

3. The petitioner and her family members were residing at Indira nagar, pallam, G.M.Pettai, Kasimedu, Chennai for about 30 years. During the year 2007, 540 huts, including the petitioner's hut were destroyed in a fire accident. Thereafter, temporary house at No.502, I block, Tamilnadu Slum Clearance

Board House Plot, G.M.Pettai, Royapuram, Chennai - 11, has been allotted to the petitioner by the second respondent and the petitioner is residing in the said place for the past 6 years. Thereafter, the petitioner has been continuously approaching the second respondent for allotment of permanent house by the Estate Officer-I, Royapuram, Chennai - 13. In this regard, the petitioner has also given a representation dated 23.02.2016, but, till date, no action has been taken on the same. Hence, she has come forward with the present writ petition.

4. Heard the submissions of learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

5. Considering the facts and circumstances, without going into the merits of the claim of the petitioner, this Court directs the second respondent to consider the representation of the petitioner dated 23.02.2016 and pass an appropriate order, within a period of four weeks from the date of receipt of a copy of this order, after affording opportunity of personal hearing to the petitioner as well as to the necessary parties, if any. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim of the petitioner. It is for the second respondent to decide the issue purely on merits.

6. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

1. The Secretary to Government,
Tamilnadu Housing & Urban
Welfare Department,
Secretariat, Chennai - 09

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

+1cc to the Government Pleader Sr.20895

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srg 22/04/2016