

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.08.2017

CORAM

The Honourable MR. JUSTICE M.DURAIWAMY

W.P.No.21971 of 2017
and W.M.P.No.23021 of 2017

Malathi

[Petitioner]

Vs

1. The District Collector of
Thiruvallur, Thiruvallur District.2. The Secretary,
The Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Triplicane, Chennai 5.3. The Thasildhar,
Thiruvottiyur,
Chennai 19.

[Respondents]

Writ Petition filed under Article 226 of the Constitution of India
 praying for the issuance of a writ of mandamus directing the
 respondents to consider the representation of the petitioner dated
 29.06.2017 and pass necessary orders within a stipulated time.

For Petitioner : Mr.R.Ponnusamy

For Respondents : Mr.R.Rajeswaran, SGP (R1&3)
 Mr.M.Rajasekar (R2)

ORDER

Mr.R.Rajeswaran, learned Special Government Pleader takes

notice for the respondents 1 and 3 and Mr.M.Rajasekar, learned

counsel takes notice for the 2nd respondent. By consent, the main writ petition is taken up for disposal at the admission stage itself.

2. The petitioner has filed the above writ petition to issue a writs of mandamus directing the respondents to consider and pass orders on her representation dated 29.06.2017, within a stipulated time.

3. The learned counsel appearing for the petitioner submitted that in spite of the fact that the petitioner has given a representation as early as on 29.06.2017, requesting the authorities to allot and provide alternate ready built house for her immediate occupation, since she cannot stand in the street without alternative house, the 1st respondent has not passed any order so far.

4. Mr.R.Rajeswaran, learned Special Government Pleader appearing for the respondents 1 and 3 submitted that the 1st and 3rd respondents may be directed to consider and pass orders on the petitioner's representation dated 29.06.2017, in accordance with law, within a time frame.

counsel on either side, without expressing any opinion with regard to the merits of the case, I direct the 1st and 3rd respondents to consider the petitioner's representation dated 29.06.2017 and pass orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. Till such time, status-quo shall be maintained. However, I make it clear that in the event of the petitioner found to be an encroacher, the respondents are at liberty to evict her in accordance with law.

With this observation, the writ petition is disposed of. No costs. Connected miscellaneous petition is closed.

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18.08.2017

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To

1. The District Collector of Thiruvallur, Thiruvallur District.
2. The Secretary,
The Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Triplicane, Chennai 5.
3. The Thasildhar,
Thiruvottiyur,
Chennai 19.

M. DURAISWAMY,J.

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