

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 21.08.2017

CORAM

The Honourable MR. JUSTICE M.DURAI SWAMY

W.P.No.22143 of 2017
and W.M.P.No.23180 of 2017

Gomathi

[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.

5. Having regard to the submissions made by the learned 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.

Sd/-
Assistant Registrar(CS VI)

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Sub Assistant Registrar

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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.

+1 cc to M/s.R.Ponnusamy Advocate sr 59755
+1 cc to M/s.M.Rajasekhar Advocate sr 59906
+1 cc to the government Pleader sr 60390

W.P.No.22143 of 2017

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