

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.07.2017

CORAM

THE HON'BLE Mr. JUSTICE M.DURAI SWAMY

W.P.No.15246 of 2017 and
W.M.P.No.16537 of 2017

T.Vimaladevi

... Petitioner

Vs.

1. The Secretary to Government,
Tamil Nadu Housing Board,
Secretariat,
Chennai - 600 009.
2. Managing Director,
Tamil Nadu Slum Clearance Board,
Nandanam,
Chennai - 600 035.
3. A.Poobathi,
Assistant Engineer,
Tamil Nadu Slum Clearance Board,
Zonal Office - Anna Nagar,
Thirumangalam,
Chennai - 600 101.
4. Prakash

... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the respondents 1 & 2 by cancelling the allotment of the 4th respondent or allot alternate residence to him by considering the petitioner's representation dated 07.11.2016.

For Petitioner : Mr.P.Pon Pandian

For Respondents: Mr.S.V.Doraisolaimalai,

Additional Government Pleader (R1)

O R D E R

Mr.S.V.Doraisolaimalai, learned Additional Government Pleader takes notice for the 1st respondent. By consent, the writ petition is taken up for disposal in the admission stage itself.

2.The petitioner has filed the above Writ Petition to issue a writ of mandamus directing the respondents 1 & 2 by cancelling the allotment of the 4th respondent or allot

alternate residence to him by considering the petitioner's representation dated 07.11.2016.

3. On a perusal of the affidavit filed in support of the Writ Petition, it is clear that there is a dispute between the petitioner and the 4th respondent, therefore, the petitioner has given a representation dated 07.11.2016 to the 3rd respondent requesting to take action against the 4th respondent and to allot some other house to him.

4. Mr. S.V. Doraisolaimalai, learned Additional Government Pleader appearing for the 1st respondent submitted that the dispute between the petitioner and the 4th respondent and therefore, the present Writ Petition is not maintainable.

5. Accepting the contentions raised by the learned Additional Government Pleader, I am of the view that the petitioner can sort out the dispute between herself and the 4th respondent before a competent Civil Court and not in a Writ proceedings. The petitioner can approach the competent Civil Court seeking for appropriate relief. In these circumstances, I do not find any merits in the Writ Petition. The Writ Petition stands dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

-s/d-
Assistant Registrar (CO)

True Copy

Sub-Assistant Registrar

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To

1. The Secretary to Government,
Tamil Nadu Housing Board,
Secretariat,
Chennai - 600 009.

2. Managing Director,
Tamil Nadu Slum Clearance Board,
Nandanam,
Chennai - 600 035.

+1 CC to Mr. P. Ponpandiyan, Advocate sr 53435.

+1 CC to The Govt. Pleader sr 52756.

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SP(03/08/2017)