

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.05.2017

CORAM

THE HONOURABLE MR.JUSTICE R. SUBRAMANIAN

W.P.No.41771 of 2016

- 1.Kala
- 2.Praba
- 3.Chellammal
- 4.Kamala
- 5.Indrani
- 6.Mariammal
- 7.Mylvel
- 8.Ramalingam
- 9.Kala
- 10.Kannagi

...Petitioners

...Vs...

- 1.The Union of India,
Represented by its Secretary,
Ministry of Urban Development,
Nirman Bhavan,
Maulana Asad Road, New Delhi-110 108.
- 2.The Joint Secretary @ Mission Director (JNNURM)
Ministry of HUPA,
Room No.116, G Wingh,
Nirman Bhawan,
New Delhi-110 011.
- 3.The State of Tamil Nadu,
Represented by its Principal Secretary,
Department of Housing and Urban Development,
St.George Fort, Chennai.
- 4.The Commissioner of Corporation,
Chennai Corporation,
Ribon Building,
Chennai.



सत्यमेव जयते

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5.The Chairman,
Tamil Nadu Slum Clearance Board,
No.5,Kamarajar Salai,
Triplicane,
Chennai-600 005.

6.The Executive Engineer,
Tamil Nadu Slum Clearance Board,
Chennai Division,
Chennai.

7.The District Collector,
Chennai.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent-4 and respondent-5 herein to consider and pass orders on the representation made by the petitioner dated 01.08.2016 and 17.11.2016 with regard to allotment of tenements in the Tamilnadu Slum Clearance Board based on the provision under Jawaharlal Nehru National Urban Renewal Mission (JNNURM) Scheme for all the petitioners.

For Petitioners : Mr.Mohan, Advocate
for M/s.J.Arokhiaraj
For R-1 & 2 : No Appearance
For R-3 & 7 : Mr.P.Sanjay Gandhi, AGP
For R-4 : Mr.P.V.Selvakumar, Standing
Counsel
For R-5 & 6 : No Appearance

ORDER

Heard Mr.Mohan, learned counsel appearing for Mr.J.Arokhiaraj, learned counsel for the petitioners; Mr.P.Sanjay Gandhi, learned Additional Government Pleader appearing for the respondents 3 and 7 and Mr.P.V.Selvakumar, learned Standing counsel appearing for the 4th respondent.

2.The petitioners are Slum Dwellers who have been residing in the platforms in Poes Salai, Krishnasamy Thottam and Manivannan Thottam. On 29.09.2015, the Chennai Corporation has issued a letter of confirmation allotting Tenements by the TNSCB [Tamil Nadu Slum Clearance Board] under Jawarharlal Nehru National Urban Renewal Mission Scheme. After the issuance of the said confirmation letter, proposals have been placed before the Commissioner, Chennai Corporation, namely; the fourth

respondent on 10.03.2016. It is found that the said proposals have been directed to be placed after the conclusion of the elections and it is seen from the communication dated 20.06.2016, that the proposals have been placed before the Commissioner for further orders and the same is pending.

3.Considering the fact that the petitioners have been residing in the roadside and have been found to be qualified for allotment of Tenements by TNSCB [Tamil Nadu Slum Clearance Board] under the Jawaharlal Nehru National Urban Renewal Mission (JNNURM) Scheme, there shall be a direction to the fourth respondent namely; the Commissioner, Chennai Corporation to dispose of the pending recommendation made by the Executive Engineer dated 24.02.2016 in Ma.A.No.9.Na.Ka.No.,2/3292/2015, within a period of twelve weeks from the date of receipt of a copy of the order. If the fourth respondent recommends allotment of tenements to the petitioners, the fifth respondent shall take the necessary follow up action within a period of twelve weeks from the date of receipt of the recommendation of the fourth respondent. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

KP

To

1.The Union of India,
Represented by its Secretary,
Ministry of Urban Development,
Nirman Bhavan,
Maulana Asad Road, New Delhi-110 108.

2.The Joint Secretary @ Mission Director (JNNURM)
Ministry of HUPA,
Room No.116, G Wingh,
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3.The State of Tamil Nadu,
Represented by its Principal Secretary,
Department of Housing and Urban Development,
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4.The Commissioner of Corporation,
Chennai Corporation,
Ribon Building,
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5.The Chairman,
Tamil Nadu Slum Clearance Board,
No.5,Kamarajar Salai,
Triplicane,
Chennai-600 005.

6.The Executive Engineer,
Tamil Nadu Slum Clearance Board,
Chennai Division,
Chennai.

7.The District Collector,
Chennai.

+1cc to Mr.J.Arokhiaraj, Advocate, S.R.No.37584
+1cc to Mr.P.V.Selvakumar, Advocate, S.R.No.37602
+1cc to the Government Pleader, S.R.No.37686

VGII (CO)
RS (19/05/2017)

W.P.No.41771/2016

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