



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 01.06.2017

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE K. KALYANASUNDARAM

W.P (MD) No. 10133 of 2017

1. R. Pandiammal

2. P. Lakshmi

.. Petitioners

Vs

1. The District Collector,
Madurai District,
Madurai.

2. The Commissioner,
Municipal Corporation,
Anna Maligai,
Madurai.

3. The Executive Engineer,
Tamil Nadu Slum Clearance Board,
60ft. Road, K.K. Nagar,
Madurai - 625 020.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to allot new houses by including the Petitioners name by considering the representation made by the Petitioners dated 6.2.2017 regarding the beneficiary list.

For Petitioner : Mr. T. Murugan

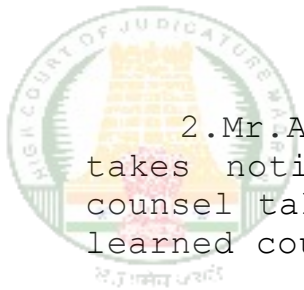
For Respondent-1 : Mr. A. Muthukaruppan
Addl. Govt. Pleader

For Respondent-2 : Mr. R. Murali

For Respondent-3 : Mr. P. Mahendran

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus directing the respondents to allot new houses by including the Petitioners name by considering the representation made by the Petitioners dated 6.2.2017 regarding the beneficiary list.



2.Mr.A.Muthukaruppan, learned Additional Government Pleader takes notice for the first respondent and Mr.R.Murali, learned counsel takes notice for the second respondent and Mr.P.Mahendran, learned counsel takes notice for the third respondent.

3.By consent of both parties, the main Writ Petition is taken up for disposal, at the admission stage itself.

4.According to the Petitioners, they are Scavengers in the second respondent/Corporation for the last ten years. They have originally resided in thatched huts in Melavasal area for several years and also they were the original allottees in the said area. The third respondent/Slum Clearance Board decided to construct a multi-storied building in Melavasal area for residential purpose for poor sanitary and coolie workers. The Petitioners were promised by the third respondent to allot houses to them after constructing the new building. Believing the said representation, the Petitioners shifted their original residence, after receiving temporary relief amount of Rs.500/-.

5.The Petitioners would allege that after finishing the construction, the respondents prepared an Allotment List of the beneficiaries and the Petitioners' names were shown in the list as S.Nos.86 and 388. The Petitioners also paid advance amount and they are eligible for allotment of new houses. Since the respondents have not allotted new houses to the Petitioners, they submitted a joint representation to the respondents on 6.2.2017. Since no order was passed, they have come up with the present Writ Petition for the relief stated supra.

6.Considering the prayer sought for in the Writ Petition, without going into the merits of the case, this Court directs the respondents 2 and 3 to consider the representation of the Petitioner, dated 6.2.2017 on merits and in accordance with law and pass orders on the same, as expeditiously as possible, preferably within a period of six weeks from the date of receipt of a copy of this order. The respondents 2 and 3 are directed to communicate the decision taken to the Petitioners forthwith.

7.With the above directions, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

<https://hcservice.sherlock.in/Service/Collector>,
Madurai District,
Madurai.



2. The Commissioner,
Municipal Corporation,
Anna Maligai,
Madurai.

WEB COPY

3. The Executive Engineer,
Tamil Nadu Slum Clearance Board,
60ft. Road, K.K.Nagar,
Madurai - 625 020.

+1cc to Mr.P.Mahendran, Advocate Sr.No.58145
+1cc to Mr.M.Suresh Kumar, Advocate Sr.No.58179
+1cc to Mr.T.Murugan, Advocate Sr.No.58228
+1cc to Spl.Government Pleader Sr.No.58021

vsn

vb/skn/sar1/07.06.2017/3p/8c

W.P (MD) No.10133 of 2017
01.06.2017