



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.10.2017

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THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P. (MD) No. 2297 of 2017

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... Petitioner

Vs.

1. The Chairman,
Tamil Nadu Slum Clearance Board,
Secretariat,
Chennai.

2. The Estate Officer,
Tamil Nadu Slum Clearance Board,
Madurai Division,
169, K.K. Nagar Main Street,
Madurai.

3. The Executive Engineer,
Tamil Nadu Slum Clearance Board,
Madurai Division,
169, K.K. Nagar Main Street,
Madurai.

4. Ameer

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 3 to take action against the 4th respondent by disposing the representation of the petitioner dated 15.07.2016.

For Petitioners : Mr. N. Shanmugaselvam
For Respondents : Mr. M. Alagathevan,
Special Government Pleader
for R.1 to R.3
Mr. P. Mahendran for R.4

ORDER

This writ petition has been filed by the petitioner seeking a Writ of Mandamus, directing the respondents 1 to 3 to take action against the fourth respondent, by considering his representation dated 15.07.2016.

2. According to the petitioner, the second respondent by order dated 11.11.2014, had allotted the Plot No. 74, Tamil Nadu Slum Clearance Board Colony, Kadavur, Madurai - 14 to him and to Arul Mary. Whereas, the fourth respondent had encroached the same and aggrieved thereby, the petitioner has preferred a complaint before the official respondents. In this



regard a case has also been registered against the fourth respondent in Crime No.183 of 2015, before the Inspector of Police, Satrapatti Police Station. In support of his claim, regarding allotment, the petitioner has produced a copy of the communication of the second respondent dated 30.08.2016, under RTI Act, wherein, it is specifically mentioned that the property in question is allotted to the petitioner and his daughter and the tax is also paid in their names. In spite of all his efforts, the official respondents have not taken any steps to evict the fourth respondent from the subject mentioned property and hence, the petitioner is before this Court, seeking a direction to the respondents 1 to 3 to dispose his representation dated 15.07.2016.

3. The learned Additional Government Pleader, on instructions, submitted that the authorities are now inclined to pass orders on the representation of the petitioner dated 15.07.2016, within a stipulated time limit.

4. Heard the learned Counsel appearing on both sides.

5. Considering the facts and circumstances, this Court, without going into the merits of the case, directs the respondents 1 to 3 to consider the representation of the petitioner dated 15.07.2016 and pass appropriate orders, on its own merits and in accordance with law, after affording due opportunity of hearing to the petitioner and the fourth respondent, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (P&A)

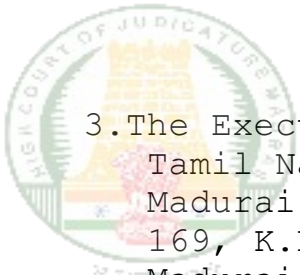
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Sub Assistant Registrar

To

1.The Chairman,
Tamil Nadu Slum Clearance Board,
Secretariat,
Chennai.

2.The Estate Officer,
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169, K.K.Nagar Main Street,



3.The Executive Engineer,
Tamil Nadu Slum Clearance Board,
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Madurai.

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+1cc to Mr.N.SHANMUGASELVAM, Advocate, SR.83388

+1cc to Mr.P.MAHENDRAN, Advocate, SR.83346

W.P. (MD) No.2297 of 2017
24.10.2017

GK

KK/RSK/SAR 2/01.11.2017/ 3P- 6C/