

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 01.02.2018

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.2083 of 2018

M.Janaki Devi

... Petitioner

Versus

1.The Secretary to Government,
Tamil Nadu Housing Board and Urban Land Development,
Secretariat, Chennai-09.

2.The District Collector,
Chennai District,
Singaravelar Maligai,
Chennai-01.

3.The Managing Director,
Tamil Nadu Slum Board,
Chennai-05.

4.S.Maheshwari Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the 1 to 3 respondents to consider the petitioner's representation dated 08.01.2018 and consequently direct the 3rd respondent to cancel the allotment pertaining Flat No.55, Block No.4, Second Floor, Tamil Nadu Housing Board Flats, Padappai, Vadambakkam, Kanchipuram District, and allot the same in her favour.

For Petitioner : Mr.T.V.G.Kartheeban

For Respondents : Mr.R.Sivakumar
Special Government Pleader for R1 & R3
Mr.R.Govindasamy,
Special Government Pleader for R2
Notice to R4 is dispensed with.

ORDER

Mr.R.Sivakumar, learned Standing Counsel takes notice for the respondents 1 and 3 and Mr.R.Govindasamy, learned Special

Government Pleader takes notice for the second respondent. Since this writ petition is being disposed of, without affecting the interest of the fourth respondent, notice to the fourth respondent is dispensed with.

2.The petitioner seeks for a mandamus directing the respondents 1 to 3 to consider her representation dated 08.01.2018 and consequently, direct the third respondent to cancel the allotment pertaining to Flat No.55, Block No.4, Second Floor, Tamil Nadu Housing Board, Vadambakkam, Kanchipuram District, allotted in the name of the fourth respondent and to allot the same in favour of the petitioner.

3.The grievance of the petitioner before this Court is that she was the one, who was having the tenement at No.551/100, Muthumariamman Koil Street, Arumbakkam, Chennai-106 and got vacated from the said place with an assurance that she will be given an alternative flat and that however, instead of giving flat to the petitioner, the respondents 1 to 3 have allotted the flat in favour of the fourth respondent.

4.This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner, as it is for the third respondent to consider and decide, after giving due opportunity of hearing to the petitioner as well as the fourth respondent. Accordingly, the writ petition is disposed of, only with a direction to the third respondent to consider the grievance of the petitioner made through her representation dated 08.01.2018 and pass orders on the same on merits and in accordance with law, after giving due opportunity to the petitioner as well as the fourth respondent. Such exercise shall be done by the third respondent within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-

सत्यमेव जयते
Assistant Registrar(CCC)

//True copy//

Sub Assistant Registrar

vri

To

1.The Secretary to Government,
Tamil Nadu Housing Board and Urban Land Development,
Secretariat, Chennai-09.

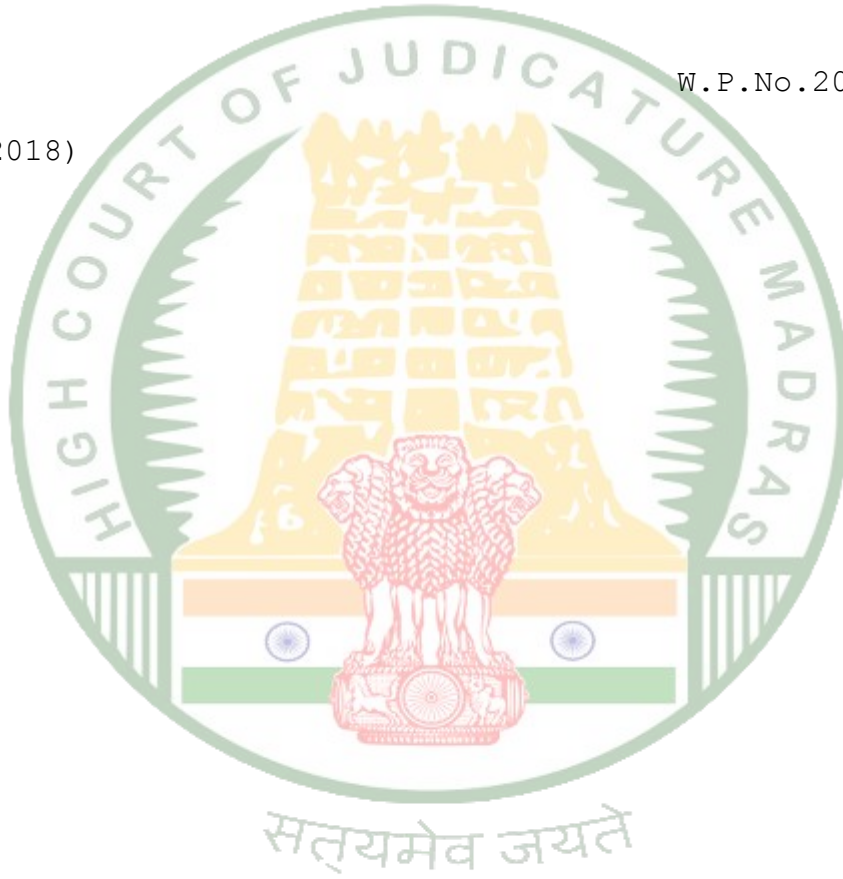
2.The District Collector,
Chennai District,
Singaravelar Maligai,
Chennai-01.

3.The Managing Director,
Tamil Nadu Slum Board,
Chennai-05.

+lcc to Mr.T.V.G.Karitheeban, Advocate SR.No.8026
+lcc to Mr.R.Siva Kumar, Advocate SR.No.8241
+lcc to Government Pleader SR.No.8003

KS(CO)
GN(15/02/2018)

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