

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.03.2018

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

WP.No.7282 of 2013
& M.P.No.1 of 2013

M.Jenicklas

...Petitioner

Vs.

1. The District Collector,
Kancheepuram.
2. The Deputy Chief Engineer,
Metro Transport Project,
(Railway),
Chennai - 600 004.
3. The Revenue Divisional Officer,
Tambaram.
4. The Tahsildar,
Alandur, Chennai - 16.

...Respondent

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the respondents to provide alternative site to the petitioner, as per the representation dated 19.11.2012, in the same locality.

For Petitioner : M/s.Bhiman

For Respondents: Mr.V.Shanmuga Sundar,
Spl.G.P. (for R1, R3 & R4)
Mr.P.T.Ramkumar (for R2)

ORDER

The petitioner has come up with this petition seeking for issuance of a Writ of Mandamus to direct the respondents to provide alternative site to the petitioner, as per his representation dated 19.11.2012, in the same locality.

2. The case of the petitioner is that he had been residing at No.3, 1st Main Road, Thillai Ganga Nagar, Nanganallur, Chennai, for more than 38 years. He was also provided with

Electricity Service Connection and he was paying tax regularly. When the petitioner's application for issuance of patta was under consideration, the property was pulled down for the purpose of acquiring land for Metro Transport Project. Subsequently, he gave representation on 19.11.2012 to provide alternative accommodation. Since no response from the respondents, the present writ petition.

3. Heard the learned counsel for the petitioner, learned Special Government Pleader for respondents 1, 3 and 4 and the learned counsel for the 2nd respondent.

4. The learned counsel for the 2nd respondent submitted that there is no provision for them to provide alternative accommodation to the petitioner and it has to be considered by the 1st respondent.

5. The learned counsel for the petitioner submitted that the 1st respondent may be directed to consider the representation of the petitioner.

6. The learned Special Government pleader appearing for the respondents 1, 3 & 4 submitted that the said representation would be considered by the 1st respondent in accordance with law.

7. In the light of the above submission, this Court without going into the merits of the case, directs the 1st respondent to consider the representation of the petitioner and pass appropriate orders on merits and in accordance law, within a period of twelve weeks from the date of receipt of a copy of this order, after providing an opportunity of hearing to the necessary parties.

8. With the above observation and direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Asst.Registrar (Audit)

/true copy/

Sub Asst. Registrar

pvs
To

1. The District Collector,
Kancheepuram.

2. The Deputy Chief Engineer,
Metro Transport Project,
(Railway),
Chennai - 600 004.

3. The Revenue Divisional Officer,
Tambaram.

4. The Tahsildar,
Alandur, Chennai - 16.

+ 1 cc to Mr.P.T.Ramkumar Standing Counsel Railways SR.16187

+ 1 cc to M/s.Bhiman Advocate, SR.16474

+ 1 cc to The Govt.Pleader, SR.17398

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nri(co)
nr 05/04/2018



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