

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.07.2018

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.8866 of 2010

and

MP.No.1 of 2010

Balammal

... Petitioner

Vs.

The Tamil Nadu Slum Clearance Board,
Rep. by its Chairman-cum-Managing Director
Kamarajar Salai, Chennai - 600 005.

... Respondent

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified mandamus, calling for the records of the respondent in Na.Ka.No.E2/2934/2010 dated 21.04.2010 and quash the same as illegal, unlawful, ultra vires and unconstitutional and consequently direct the respondent to provide alternative accommodation to the petitioner which will fit for dwelling.

For Petitioner : Ms.T.S.Rajamohan

For Respondent : Mr.S.Prabhu

ORDER

This writ petition is preferred against the communication dated 21.04.2010 issued by the respondent, whereby, the representation of the petitioner seeking alternative accommodation was rejected, on the ground that the petitioner was an encroacher of the house bearing plot no.75, Door No.28, 4th Street, A Kalyanapuram Planning Division, Vyasarpadi, Chennai-39.

2.When the matter was taken up for consideration, the learned counsel for the petitioner fairly submitted that it would suffice, if the petitioner is given liberty to submit a fresh representation seeking alternative accommodation, to the respondent and the said representation be directed to be

disposed of, within a time frame to be fixed by this Court, for which, the learned counsel for the respondent has no serious objection.

3.Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side and further taking note of the fact that the earlier representation submitted by the petitioner, has not been considered by the respondent, this Court disposes of this writ petition, granting liberty to the petitioner to submit a fresh representation enclosing all the required documents to the respondent within a period of two weeks from the date of receipt of a copy of this order. On such submission, the respondent is directed to consider the same and pass appropriate orders, on merits and in accordance with law within a period of six weeks thereafter. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(Audit)

//True copy//

Sub Assistant Registrar

rk

To

Tamil Nadu Slum Clearance Board,
Chairman-cum-Managing Director
Kamarajar Salai, Chennai - 600 005.

+1cc to Mr.TS.Rajamohan, Advocate SR.No.51236

+1cc to Mr.S. Prabhu, Advocate SR.No.51240

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GMY(18/09/2018)