

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2018

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THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition Nos.2731 & 2732 of 2018
and

WMP.Nos.3373 & 3374 of 2018

R.Senthil

Son of Ramalingam

.. Petitioner
(in WP.No.2731 of 2018)

R.Vikram

Son of Ramalingam

.. Petitioner
(in WP.No.2732 of 2018)

versus

1.The Government of Tamil Nadu
Represented by its Secretary
Home Department
Fort Saint Georg, Chennai-600 009.

2.The Managing Director
Tamil Nadu Slum Clearance Board
No.5, Kamarajar Salai,
Chennai-600 005.

.. Respondents
(in WP.Nos.2731 & 2732 of 2018)

Writ petitions filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the first and second respondents to allot a house to the petitioner in Tamil Nadu Slum Clearance Buildings, Marina Thitta Pakudhi, Nochi Nagar, Mylapore, Chennai-600 004

For Petitioner : Mr.G.Veerapathiran
in both WPs

For Respondents : Mr.E.Balamurugan
in both Wps Additional Government Pleader
for R1
Mr.R.Sivakumar for R2

C O M M O N O R D E R

Mr.E.Balamurugan, learned Additional Government Pleader takes notice for the first respondent. Mr.R.Sivakumar, learned counsel takes notice for the second respondent. By consent of

the parties, these main writ petitions are taken up for final disposal at the admission stage themselves.

2. In both these writ petitions, the respective writ petitioners seek for mandamus directing the respondents to allot a house each to the petitioners in Tamil Nadu Slum Clearance Buildings, Marina Thitta Pakudhi, Nochi Nagar, Mylapore, Chennai-600 004.

3. The case of the petitioners is as follows:-

The petitioners were originally residing in Nochi Nagar, Mylapore, Chennai, and they are fishermen. Pursuant to Tsunami affected in the year 2004, their huts were destroyed and consequently, they were allotted an alternative and temporary allotment at a different place, however, with an assurance that they will be allotted permanent house later. Now, the grievance of the petitioners is that instead of allotting permanent allotment in the same area where they were originally residing, the respondents have allotted in a different place far away from their original residence. Ventilating such grievance, the petitioners have made their representations to the respondents on different occasions, out of which, last two were made on 10.08.2017 & 05.07.2017 respectively. Therefore, the petitioners seek for allotting a house for each of them in the area, in which, they were originally residing.

4. Needless to say that it is for the respondents to consider and decide the grievance of the petitioners on merits, as this Court, at this stage, is not expressing any view on the merits of the claim made by the petitioners, since the petitioners representations are yet to be considered. Accordingly, both the writ petitions are disposed of, only with a direction to the respondents to consider the request of the petitioners and pass orders on the same on merits and in accordance with law, after giving due opportunity of hearing to the petitioners, within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

/true copy/

Sub Assistant Registrar

mk

To

1.The Government of Tamil Nadu
Represented by its Secretary
Home Department
Fort Saint George
Chennai-600 009.

2.The Managing Director
Tamil Nadu Slum Clearance Board
No.5, Kamarajar Salai,
Chennai-600 005.

3 ccs to Mr.G.Veerapathiran, Advocate, Sr. 9579
1 cc to Government Pleader, Sr. 10282
2 ccs to MR.R.Sivakumar, Advocate, Sr. 9849

W.P.Nos.2731 & 2732 of 2018

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