

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2018

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.No.28322 of 2018 and
W.M.P. No.33028 of 2018

S.Gandhimathy

.. Petitioner

Vs

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

2.The Executive Engineer,
ETRP Spl. Dn (South),
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Chennai-600 005.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorarified Mandamus, to call for the records relating to the impugned notice in Na.Ka.No.710/அ/மெ.ம.கோ/2018 dated 16.10.2018 issued by the second respondent herein and quash the same and consequently direct the respondents to allot alternate site to the petitioner.

For Petitioner : Mr.K.Dhananjayan

For Respondents : Mr.S.Prabhu,
TNSCB

ORDER

The petitioner has come up with this writ petition challenging the impugned notice in Na.Ka.No.710/அ/மெ.ம.கோ/2018 dated 16.10.2018 issued by the second respondent and seeking a direction to allot her alternate site.

2.According to the learned counsel for the petitioner, originally Tamil Nadu Slum Clearance Board has allotted shop Nos.7, 8 & 9 to one C.M.Johny and Moli Mathew respectively. The said allottees, who have failed to pay the rent, have rented out the said shops to the petitioner for running furniture and

fabrication business. The grievance of the petitioner is that when she was doing business in the said premises for more than seven years, she was forced to vacate the same. In this regard, she has submitted a representation dated 14.08.2018, but, the same is yet to be disposed of by the respondents. Hence, the petitioner is before this Court.

3.Mr.S.Prabhu, learned Standing Counsel for Tamil Nadu Slum Clearance Board taking notice for the respondents, on instructions, submitted that the petitioner would be given preference in allotment as and when the construction is over in the new premises. The said submission is recorded.

4.Learned counsel for the petitioner submitted that the petitioner now undertakes to vacate the premises within fifteen days. Such statement is also recorded.

5.In view of the above, this writ petition stands closed. If the petitioner fails to vacate the premises, it is always open to the respondents to evict the petitioner on expiry of the given date so as to complete the construction. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

vga
To

1.The Managing Director,
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No.5, Kamarajar Salai,
Chennai-600 005.

2.The Executive Engineer,
ETRP Spl. Dn (South),
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Chennai-600 005.

+1cc to Mr.K.Dhananjayan, Advocate Sr.75987
+1cc to Mr.S.Prabhu, Advocate Sr.75773

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srg 28/11/2018