

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2019

CORAM

THE HON'BLE MR.JUSTICE P.D.AUDIKEVALU

W.P. No. 1570 of 2019

Rathirani

... Petitioner

-vs-

The Chairman,
Tamil Nadu Slum Clearance Board,
No.5, Kamaraj Salai,
Chennai.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Respondent to issue an allotment of house within a time frame.

For Petitioner : Mr. R. Dhineshkumar

For Respondent : Mr. M. Rajasekar

O R D E R

This Court during the earlier hearing on 06.06.2019 had passed the following order:-

"It is complained by the Petitioner that on 06.10.1995 she was forcefully evicted from the tenement bearing No. 13, G-Block, Shenoy Nagar, Chennai - 600 030, which was allotted to her in proceedings Na. Ka. No. 18892/95/G3 dated 04.08.1995. The Petitioner had earlier filed W.P. No. 14070 of 1995 challenging the same, which was disposed by order dated 26.07.2002 passed by this Court directing the Respondents to provide alternative accommodation to the Petitioner.

2. According to the Learned Counsel for the Petitioner, though the Petitioner has been making representations, alternative accommodation has not been granted till now.

3. In such circumstances, the Respondent is directed to file a report on the action taken for complying with the order dated 26.07.2002 in W.P. No. 14070 of 1995 passed by this Court, by 08.07.2019, failing which the Respondent shall appear in person before this Court on 10.07.2019 and explain as to why

contempt proceedings should not be initiated against him for non-compliance of the aforesaid order passed by this Court in the earlier Writ Petition filed by the Petitioner.

Call on 10.07.2019."

Subsequently, when the matter came up for hearing on 10.07.2019, following order was passed:-

"The Respondent has filed a report of the action taken by allotting Flat No. 8 in Block No. 6 at Okkiyam Thuraipakkam to the Petitioner in the allotment order dated 05.07.2019 to the Petitioner and has produced a copy of the same.

2. The Learned Counsel appearing for the Petitioner seeks time to verify and inform on the next hearing.

Post the matter on 29.07.2019."

When the matter is taken up for hearing today, the aforesaid allotment of Flat No. 8 in favour of the Petitioner has been confirmed by his Counsel, but it is represented that there are defects in the construction of that flat. In these circumstances, Learned Counsel for the Petitioner seeks permission of this Court to withdraw the Writ Petition with liberty to the Petitioner to make representation to the Respondents to rectify the defects in the said flat.

2. Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty. No costs.
vjt

Sd/-

Assistant Registrar

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

To
The Chairman,
Tamil Nadu Slum Clearance Board,
No.5, Kamaraj Salai, Chennai.

+1cc to Mr.M.Raja Sekhar, Advocate, SR.No.64733/19

W.P. No. 1570 of 2019

Kak(19/08/2019)