

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.5874 of 2019

K.Rani

...Petitioner

Vs.

1.The Government of Tamil Nadu
Rep. by its the Secretary
Housing and Urban Development Department
Fort St.George, Chennai-600 009.

2.The Principal Secretary cum Managing Director
Tamil Nadu Slum Clearance Board
Kamarajar Salai,
Chepauk, Chennai-600 005.

3.The Executive Engineer
Tamil Nadu Slum Clearance Board
Semmencheri, Chennai.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to provide an alternative hygienic tenement at Perumbakkam, consequent to Token Identity dated 20.02.2010 issued by the 3rd respondent within a stipulated time.

For Petitioner : M/s.T.Aananthi

For Respondents: Mr.B.Kesavan
standing counsel for R2 & R3
Mr.V.Prabhu,
Government Advocate for R1

O R D E R

Mr.V.Prabhu, learned Government Advocate takes notice for the first respondent. Mr.B.Kesavan, learned standing counsel takes notice for the respondents 2 & 3. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a mandamus directing the respondents to provide an alternative hygienic tenement at Perumbakkam, consequent to Token Identity dated 20.02.2010 issued by the 3rd respondent.

3. The case of the petitioner is that the second respondent evicted the petitioner from the property, where she was living till February 2010 and demolished her house also, with a promise to provide an alternative house accommodation. It is stated that the respondents also issued the Identity Card No.008 dated 20.02.2010 to the petitioner with an assurance to provide an alternative hygienic tenement at readily built house by the Tamil Nadu Slum Clearance Board. It is further stated that even after a period of 8 years, the petitioner is not provided with alternative accommodation. Therefore, the petitioner made a request by way of representation on 11.07.2018 seeking for alternative accommodation. As the said request has not considered so far, she has filed the present writ petition.

4. Considering the above stated facts and circumstances, without expressing any view on the merits of the claim made by the petitioner, the second respondent is directed to consider the said request of the petitioner and pass orders on the same on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mk
To

1.The Government of Tamil Nadu
Rep. by its the Secretary
Housing and Urban Development Department
Fort St.George, Chennai-600 009.

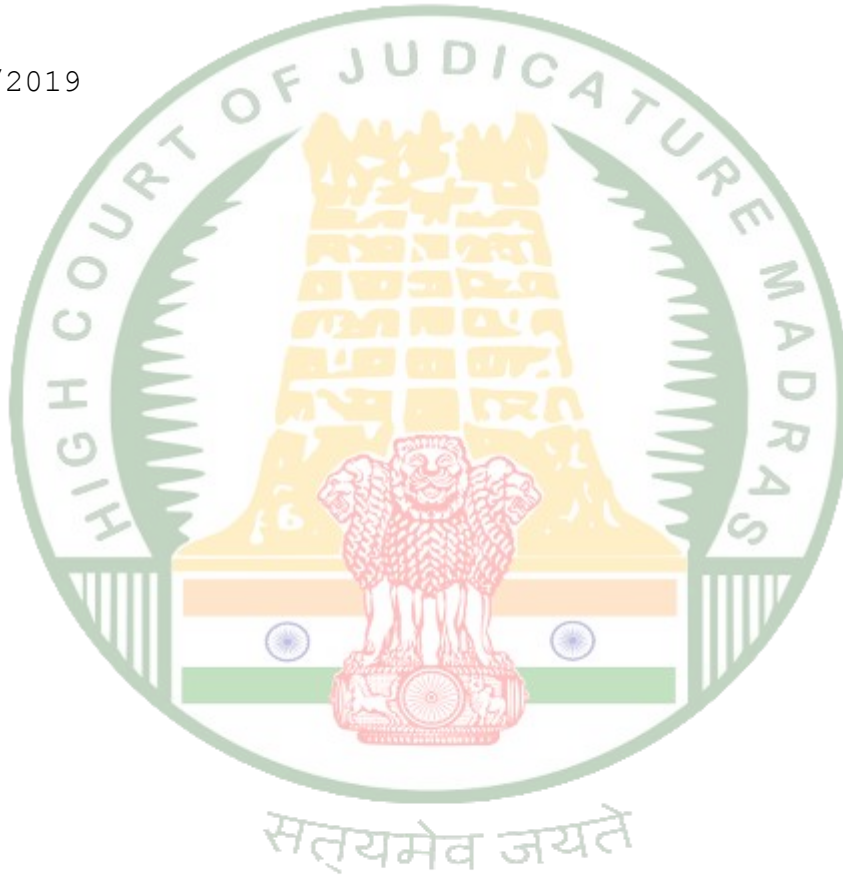
2.The Principal Secretary cum Managing Director
Tamil Nadu Slum Clearance Board
Kamarajar Salai,
Chepauk, Chennai-600 005.

3.The Executive Engineer
Tamil Nadu Slum Clearance Board
Semmencheri, Chennai.

+1cc to Mr.T.Aananthi, Advocate Sr.19877
+1cc to the Government Pleader Sr.20015
+1cc to Mr.B.Kesavan, Advocate Sr.19040

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sr[col]
srg 27/03/2019



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