

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.08.2019

CORAM

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

W.P. No. 16223 of 2019

Idhayadeivam Doctor Puratchi Thalaivi,
Pothunala Mandram,
Represented by its President M. Pushparaj,
Valluvar Kudiyarappu Front Rightern Side,
Nungambakkam,
Chennai 600 034. ... Petitioner

-Vs-

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

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the Respondent Board to consider the Petitioner's representation dated 06.02.2019 and pass favourable order confirming the 150 square feet land situated in No. 82, Valluvar Kudiyurppu, Nungambakkam, front rightern side of the flats in favour of the Petitioner's Sangam.

For Petitioner : Mr. M. Liagat Ali
For Respondent : Mr. R. Sivakumar

ORDER

The Writ Petition has been filed for directing the Respondent to consider the representation dated 06.02.2019 made by the Petitioner and pass favourable order confirming the 150 square feet land situated in No. 82, Valluvar Kudiyurppu, Nungambakkam, Chennai in favour of the Sangam of the Petitioner.

2. The Respondent has filed Counter Affidavit stating that the Association of the Petitioner was neither allotted any area under the Valluvar Kudiyiruppu Scheme nor it is in occupation of the extent of 150 square feet as claimed in the Writ Petition. It is contended that on the contrary, the open space available under the Valluvar Kudiyiruppu Scheme is required for public purpose and the attempt of the Petitioner to trespass into the same was thwarted by the public in the locality. It is further stated that the earlier representation made by the Petitioner in

that regard had already been rejected by the Respondent by letter No. B/3/11540/2017 dated 05.02.2018 which has not been challenged and in such circumstances, the question of directing the Respondent to consider a fresh representation dated 06.02.2019 cannot be sustained. The aforesaid submissions made on behalf of the Respondent deserve acceptance.

3. Accordingly, the Writ Petition is dismissed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

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

AKM/13.09.19/2P-2C /

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