

IN THE HIGH COURT OF JUDICIATURE AT MADRAS

DATED : 14.02.2020

CORAM :

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

W.P.No.1443 of 2020
& W.M.P.Nos.1711 to 1713 of 2020

O.Mariaprekassame Devergeron ... Petitioner

versus

1.Executive Engineer,
Building and Road (Central) Division,
Public Works Department,
No.1, Labourdonais Street,
Pondicherry - 605 001.

2.The Municipal Commissioner,
Pondicherry Municipal Council,
Pondicherry - 605 001.

3.The Chief Executive Officer,
Slum Clearance Board,
Pallivasal Street, Neellithoppu,
Pondicherry - 605 005. ...

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorarified Mandamus, calling for the records relating to the impugned notice issued by the first respondent (Notice No.2684/PW/EE/BRC/DB/2019-2020) dated 06.11.2019 and quash the same, consequently to direct the respondents to not to evict the petitioner or remove houses or dislocate until allocation of house done by the third respondent.

For Petitioner : Dr.G.Babu

For Respondents: Mr.C.T.Ramesh

Additional Government Pleader (P)

O R D E R

[Order of this Court was made by R.SUBBIAH,J.]

The petitioner has come up with the present Writ Petition for a Certiorarified Mandamus, to call for the records relating to the impugned notice dated 06.11.2019 issued by the first respondent and quash the same and consequently, direct the respondents not to evict the petitioner or remove houses or dislocate until allocation of house done by the third respondent.

2. Today, when the matter is taken up for consideration, the learned Additional Government Pleader (Puducherry) appearing on behalf of the respondents has filed a counter affidavit stating that, totally 57 families are residing in Survey Nos.162 and 168, Gundu Salai, Ulavarkarai Village, Pondicherry, which is Government poramboke land and hence, a common notice was issued to evict those 57 families. He further submitted that out of 57 families, 56 families were evicted and the petitioner is the only person, who is refusing to vacate the same. He also submitted that the Government has already provided an alternative accommodation to 56 persons including the wife of the petitioner. In this regard, the learned Additional Government Pleader (Puducherry) for the respondents has also produced a copy of the allotment order issued in favour of petitioner's wife.

3. Considering the counter affidavit as well as the submission made by the learned Additional Government Pleader (Puducherry) appearing on behalf of the respondents, this Writ Petition stands dismissed. Consequently, connected Miscellaneous Petitions are closed. However, there is no order as to costs.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

sri

To

1.Executive Engineer,
Building and Road (Central) Division,
Public Works Department,
No.1, Labourdonais Street,
Pondicherry - 605 001.

2.The Municipal Commissioner,
Pondicherry Municipal Council,
Pondicherry - 605 001.

3.The Chief Executive Officer,
Slum Clearance Board,
Pallivasal Street, Neellithoppu,
Pondicherry - 605 005.

+1cc to the Government Pleader(P), S.R.No. 13165

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