

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.03.2020

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.3434 of 2020

V.Jeyaraman
S/o.Vadivelu

...Petitioner

Vs.

- 1.The Secretary
The Government of Tamil Nadu
Department of Housing and Urban Development
Fort St.George,
Chennai-600 009.
- 2.The Secretary
Tamil Nadu Slum Clearance Board
No.5, Kamarajar Salai
Triplicane, Chennai-600 005.
- 3.The Commissioner
Greater Chennai Corporation
Ribbon Building
Chennai-600 003.
- 4.The Regional Deputy Commissioner (Centre)
Corporation of Chennai
Pulla Avenue Second Cross Street,
Shenoy Nagar,
Chennai-600 030.
- 5.The Zonal Officer - VI,
Corporation of Chennai
Zone-VI, (Thiru.Vi.Ka.Nagar)
No.65, Anderson Salai
Ayanavaram, Chennai-600 030.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 09.01.2020 submitted for seeking an order to allot alternate residence to the petitioner like other beneficiaries were allotted alternative residence by the concerned authorities.

For Petitioner :Mr.V.R.Appaswami
For Respondents :Mr.R.A.S.Senthilvel
Additional Government Pleader, for R1
Mr.R.Sivakumar
standing counsel, for R2
Mr.B.Manimegalai
standing counsel, for R3 to R5

O R D E R

The petitioner seeks for a mandamus directing the respondents to consider the representation of the petitioner dated 09.01.2020, wherein and whereby, he sought for allotting alternative accommodation to him.

2. Through the said representation dated 09.01.2020, the petitioner claimed for providing alternative accommodation by contending that he was residing in the said property from the year 1986 and got evicted during 2018 for widening the road.

3. The grievance of the petitioner is that even though the other similarly situated persons, who got evicted from their respective premises got alternative accommodation, his claim was not considered. Therefore, ventilating such grievance, the petitioner made the above representation.

4. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner, as it is for the concerned respondent to consider and decide. Therefore, this Court directs the fourth respondent to consider the claim of the petitioner and pass orders on the same on merits and in accordance with law, after hearing the petitioner. The petitioner shall also produce necessary documents in support of his claim before the fourth respondent. The fourth respondent, accordingly, shall pass an order within a period of four weeks from the date of receipt of a copy of this order and forward the same to the second respondent. In case the fourth respondent accepts the plea of the petitioner and makes recommendation to the Tamil Nadu Slum Clearance Board for providing alternative accommodation, the second respondent shall consider and pass orders on the same within a period of eight weeks, after the receipt of the said communication from the fourth respondent.

5. With the above observations and directions, this Writ Petition is disposed of. No costs.

Sd/-
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

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To

- 1.The Secretary
The Government of Tamil Nadu
Department of Housing and Urban Development
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Chennai-600 009.
- 2.The Secretary
Tamil Nadu Slum Clearance Board
No.5, Kamarajar Salai
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+3 ccs to Mr.V.R.Appaswamy Advocate sr19945
+1 cc to Government pleader sr 20218

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