

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 20.02.2020

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.9113 of 2014

1.Lourde
2.Gajalakshmi

.. Petitioners

vs.

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

2.The Estate Officer-7,
Tamil Nadu Slums Clearance Board,
No.83rd Street, 13th Sector,
Sivalingapuram,
K.K.Nagar, Chennai - 600 078.

..Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India for writ of mandamus directing the respondents to consider the petitioner's representation dated 18.02.2014.

For Petitioners : Mr.Venkatasamy
For Respondents : Mr.S.Prabhu, Standing Counsel

ORDER

This writ petition has been filed for a mandamus to direct the respondent to consider the petitioner's representation dated 18.02.2014 seeking to make necessary rectification and incorporate the correction in the lay-out plan on the eastern boundary of the petitioner's land from North to South connecting Dhroubathi Koil Main Road (T.A.Koil Main Road).

2. It is the case of the petitioner that the respondents in the approved layout plan has omitted to show the pathway belonging to the petitioner which was earlier existing before the constitution of the new layout under the MUDP scheme. It is the case of the petitioner that despite the representation dated 18.02.2014, the respondents have not considered the same. In

such circumstances, this writ petition has been filed.

3. Heard Mr.Venkatasamy, learned counsel for the petitioner and Mr.S.Prabhu, learned Standing Counsel for the respondents.

4. Learned standing counsel for the respondents fairly submits that the respondents shall consider the representation made by the petitioner making a request for rectification and to incorporate the correction in the layout at Dhroubathi Koil Main Road (T.A.Koil Main Road), if the petitioner is able to substantiate his case with relevant documents/records. However, learned standing counsel for the respondents submits that since the earlier representation was given by the petitioner in the year 2014, a direction can be given to the petitioner to give a fresh representation to the respondents.

5. Recording the submissions made by the learned standing counsel for the respondents, this Court directs the petitioner to give a fresh representation making a request for rectification of the layout plan and to incorporate the correction with regard to the pathway on the eastern side of the petitioner's land from north to south connecting Dhroubathi Koil Main Road (T.A.Koil Main Road) within a period of two weeks from the date of receipt of a copy of this Order. On receipt of the same, the first respondent shall consider the same and pass final orders after giving sufficient opportunity to the petitioner and other necessary parties to place their respective submissions and records within a period of eight weeks from the date of receipt of a copy of the representation of the petitioner.

6. With the aforesaid direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

//True Copy//

Sub Assistant Registrar

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TO

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

2.The Estate Officer-7,
Tamil Nadu Slums Clearance Board,
No.83rd Street, 13th Sector,
Sivalingapuram,
K.K.Nagar, Chennai - 600 078.

+1cc to Mr.T.L.Thirumalaisamy, Advocate, S.R.No. 15159
+1cc to Mr.S.Prabhu, Advocate, S.R.No. 15259

W.P.No.9113 of 2014

SV (CO)
GN(18/03/2020)