

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :21.01.2020

CORAM

THE HON'BLE MR.JUSTICE C.V.KARTHIKEYAN
W.P.No.16605 of 2018

R. Babu

... Petitioner

Vs

1.The Chairman,
Tamil Nadu Slum clearance Board,
No.5, Kamarajar Salai,
Chennai 600 005.

2.The Estate Officer,
The Estate Office-VI,
Tamil Nadu Slum clearance Board Office,
No.212, R.K.Mutt Road,
Mylapore, Chennai 600 004.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent herein to consider the petitioner's representation dated 12.12.2017, and acknowledged by the Respondents and comply with the genuine request made therein within a specific period to be stipulated by this Court.

For Petitioner : Mr.V.Ramana Reddy

For Respondents: Mrs. D.Latha,
Standing Counsel for R2

ORDER

- 1.This Writ Petition has been filed by the petitioner, in the nature of Mandamus seeking a direction to the respondent herein to consider petitioner's representation dated 12.12.2017, which has been acknowledged by the Respondents and comply with the genuine request made therein within a specific period to be stipulated by this Court.
- 2.The petitioner R.Babu, son of late T.Raju, who claims to be residing at No.112, 2nd Street, Narayanasamy Thottam, Raja Annamalaipuram, Chennai 600 028, has filed the present writ petition in the nature of mandamus, to dispose of the representation dated 12.12.2017.
- 3.In the affidavit filed in support of the writ petition, it is stated by the petitioner that the first respondent namely, the Chairman, Tamil Nadu Slum Clearance Board, Chennai, has

allotted a plot No.304 (Old Plot No.389), Old Door No.8, 2nd Trust Main Road, Mandavellipakkam, Chennai 600 028, to the father of the petitioner, namely, T.Raju by proceedings dated 17.03.1987, consequent to the death of the original allottee, late Mrs. Anna Mary, who died on 24.09.1997. It is stated by the petitioner that his father had paid a sum of Rs.35,000/- as consideration. Unfortunately his father died on 23.02.2009. Thereafter the petitioner and his family members have been residing in the said plot. He had given a representation on 12.12.2017, seeking to transfer the allotment in his name, with the consent of other members of the family. The grievance of the petitioner is that no order has been passed.

4. The learned counsel for the petitioner stated that, along with the representation a Demand Draft has also been enclosed for a sum of Rs.23,731/-, which amount, the petitioner had come to know, were dues payable to the respondent by way of information received under the RTI Act, dated 19.01.2015.
5. Mrs. D. Latha, learned standing counsel, takes notice for Respondents 1 and 2.
6. The learned standing counsel appearing for the respondents 1 and 2 stated that as a fact the petitioner is not residing in the said Plot which had been allotted to the father of the petitioner. She has also stated that the petitioner cannot claim the plot as a right. She has further stated that, even otherwise, if the petitioner gives a fresh representation, the respondents will dispose of the same with reasons. The petitioner is, therefore, directed to give a fresh representation on or before 31.01.2020 addressed to the Secretary, Tamilnadu Slum Clearance Board, Chennai, drawing reference to this order and thereafter, the said official namely the Secretary, Tamilnadu Slum Clearance Board, Chennai, may invite the petitioner, afford an opportunity of personal hearing and thereafter, in accordance with the rules and guidelines pass orders on the said representation on or before 28.02.2020.
7. With the above observation, this Writ Petition is disposed of. No Costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

jrs

To

1.The Chairman,
Tamil Nadu Slum clearance Board,
No.5, Kamarajar Salai,
Chennai 600 005.

2.The Estate Officer,
The Estate Office-VI,
Tamil Nadu Slum clearance Board Office,
No.212, R.K.Mutt Road,
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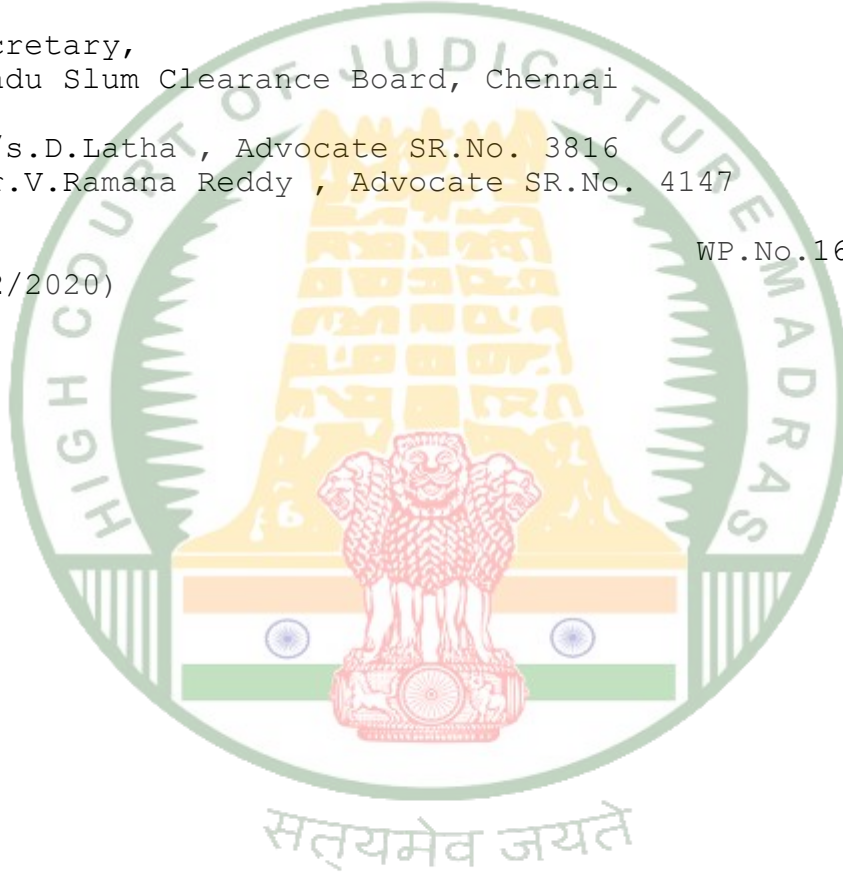
3. The Secretary,
Tamilnadu Slum Clearance Board, Chennai

+lcc to M/s.D.Latha , Advocate SR.No. 3816

+lcc to Mr.V.Ramana Reddy , Advocate SR.No. 4147

WP.No.16605 of 2018

A.SK(21/02/2020)



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