

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2020

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.26116 of 2017

Periyar Nagar Kudiyiruppor Podhu
Nala Sangam, Represented by its
Vice President, V.J.Rajaram
No.2, Dr.Ambedkar Street,
Periyar Nagar, Tiruninravur,
Tiruvallur District.
(Registration No.51/1999)

.... Petitioner

Versus

1.Government of Tamilnadu,
Rep. by its Secretary,
Housing and Urban Development Department,
Fort St. George, Chennai - 600 009.

2.The Secretary,
Tamilnadu Slum Clearance Board,
Kamaraj Salai,
Chennai - 600 005.

3.The Estate Officer-III,
Tamilnadu Slum Clearance Board,
Thillaiyadi Valliammai Building,
Thirumangalam,
Chennai - 600 040.

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of Mandamus directing the second respondent herein to consider the representation of the petitioner Nala Sangam dated 20.04.2017 in respect of the land situated at Periyar Nagar, Thiruninravur, Tiruvallur District, which was allotted to the members of the petitioner Nala Sangam.

For Petitioner : Mr.J.Balagopal

For R1 : Mr.V.Shanmugasundar,
Special Government Pleader

For R2 & R3 : Mr.S.Prabhu

O R D E R

This Writ Petition has been filed for issuance of writ of Mandamus directing the second respondent herein to consider the representation of the petitioner Nala Sangam dated 20.04.2017 in respect of the land situated at Periyar Nagar, Thiruninravur, Tiruvallur District, which was allotted to the members of the petitioner Nala Sangam.

2. Heard both sides.

3. It appears that earlier in W.P.No.19294 of 2010, the same petitioner had filed a writ petition seeking allotment of plots to the members of the petitioner Nala Sangam. This Court also had given a direction to the respondents to consider his representation. Thereafter, a contempt petition in Contempt No.1758 of 2015 was filed by the petitioner alleging that the earlier direction was not obeyed by the respondents. Pursuant to that on 20.11.2015, the second respondent had issued the allotment to 700 members. Based on which, the contempt petition was closed. Now the present writ petition is filed by the Vice President of the petitioner Nala Sangam seeking plots for the remaining members and he has also sent a representation to the second respondent dated 20.04.2017. Though the learned counsel for the petitioner says that there are about 690 members, who are eligible, none of their names or addresses and their eligibility criteria are furnished to the second respondent in the said representation.

4. Mr.S.Prabhu, learned counsel appearing for the second and third respondents also would contend that after the contempt petition was filed in the earlier proceedings, proper enquiry was conducted and the eligible persons alone were allotted plots and the request of the ineligible members were rejected.

5. The present writ petition is filed seeking allotment for those members, who were not allotted or whose requests were rejected. There are no particulars or even the name of the members are furnished either in the representation or in this writ petition. However, considering the limited scope in the prayer in the writ petition, the second respondent is directed to consider the representation of the petitioner dated 20.04.2017 and pass appropriate orders on merits and in accordance with law after issuing notice to the petitioner and the persons interested in this regard and also affording an opportunity of personal hearing only to the representative, namely, Mr.V.J.Rajaram, who is the Vice President of the petitioner Nala Sangam. The said exercise has to be completed within a period of six weeks from the date of receipt of a copy of this order.

6. With the above directions, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

rsi

To

- 1.The Secretary,
Housing and Urban Development Department,
Fort St. George, Chennai - 600 009.
- 2.The Secretary,
Tamilnadu Slum Clearance Board,
Kamaraj Salai,
Chennai - 600 005.
- 3.The Estate Officer-III,
Tamilnadu Slum Clearance Board,
Thillaiyadi Valliammai Building,
Thirumangalam,
Chennai - 600 040.

W.P.No.26116 of 2017

RSV (CO)
GN (31/07/2020)

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