



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.382 of 2010
and
M.P.Nos.1, 2 & 3 of 2010

K.Jaya Raman

... Petitioner

Vs

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

2. The Managing Director,
Tamil Nadu Slum Clearance Board,
Chennai - 600 005.

...Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus calling for the records of the second respondent relating to Na.Ka.No.23108/07/E3 dated 20.01.2009, quash the same and issue consequential directions to the respondents to allot 800 sq.ft. out of 1800 sq.ft. of house site (plot No.34) in Door No.15, Thirumoolar Colony, Thirumangalam, Anna Nagar West, Chennai - 40 to the petitioner's son, Thiru Sivaji Padmanaban on payment of the cost and other fees.

For Petitioner : Mr.D.Baskar

For Respondents1 & 2 : Mr.S.Prabhu

O R D E R

The order dated 20.01.2009 issued by the Managing Director of the Tamil Nadu Slum Clearance Board is under challenge in the present writ petition.

2. The grievances of the writ petitioner is that certain irregularities were being committed by the authorities of the Slum Clearance Board and consequently, his right of allotment was denied.



3. The learned counsel for the petitioner reiterated that the very same Plot No.34 which was in the possession of the petitioner was allotted to the other third party and the authorities have also committed an irregularity. It is brought to the notice of this Court that the said Plot No.34 was earmarked for the purpose of Well and the authorities have committed an irregularity and such an illegality cannot be a precedent or a ground for the petitioner to claim the said Plot No.34 which is earmarked for the purpose of Well.

4. The learned counsel appearing on behalf of the respondents/Slum Clearance Board brought to the notice of this Court that those officials, who had committed the said irregularities, were imposed with the order of punishment and none of those officials are now in the service of the Slum Clearance Board. This being the factum is established. The petitioner cannot claim the very same Plot No.34 which is earmarked as Well. This apart, the issue regarding allotment was of the year 1995 and 26 years had lapsed. This being the factum. It is left open to the petitioner to submit a fresh representation if any scheme is in force and in the event of submitting any such application, subject to eligibility the case of the petitioner may be considered in accordance with law.

5. With these observations, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

Sgl

To

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

2.The Managing Director,
Tamil Nadu Slum Clearance Board, Chennai - 600 005.

+lcc to Mr.S.Prabhu, Advocate SR. No.55309
+lcc to the Government Pleader SR. No.54622

W.P.No.382 of 2010

GJ (CO)
PR (02/12/2021)