

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.04.2021

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.6239 of 2021
(Heard through VC)

E.Tamil Selvi

.. Petitioner

Vs.

1.The District Collector
Office of the District Collector
Kancheepuram District

2.The Managing Director
The Tamil Nadu Slum Clearance Board
Head Office at Kamarajar Salai
Chennai - 600 005

.. Respondents

PRAYER: Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent herein to allot a free house (tenement) based on the Token bearing To.Po.No.26 dated 03.04.2010 issued by the 2nd respondent in any of the completed or on going projects of the 2nd respondent, within the time that may be fixed by this Hon'ble Court.

For Petitioner : Mr.G.Murugesh Kumar
For Respondent -1 : Mr.V.Shanmugasundar, Spl. GP
For Respondent -2 : Ms.D.Latha, Standing Counsel

सत्यमेव जयते
O R D E R

This petition is for a writ of mandamus, directing the 2nd respondent herein to allot a free house (tenement) based on the Token bearing To.Po.No.26 dated 03.04.2010 issued by the 2nd respondent in any of the completed or on going projects of the 2nd respondent, within the time that may be fixed by this Hon'ble Court.

2. The brief facts that are necessary for the disposal of this writ petition are that the petitioner had put up a thatched house in a piece of land comprised in S. No.510 situated at No.3/552-B, Church Street, Bharathi Nagar, Perumbakkam, Kancheepuram District, and resided therein along with his family

for more than a decade and had been paying tax regularly to the government. He also got water and electricity service connection. Since he had been residing in government land for more than 10 years, he is eligible to get free land patta in view of G.O. Ms. No.854, Revenue Department dated 30.12.2006 and G.O. Ms. No.34, and Revenue Department dated 23.01.2008 and hence he had approached the respondent to issue house patta. That being so, during the year 2010, the government had acquired the land comprised in various survey numbers including petitioner's land in S. No.510, where he was residing with his family, for constructing multi-storied tenements with all infrastructures for the utility of the poor and needy people under Jawharlal Nehru National Urban Renewal Mission (JNNURM) project.

3. It is further stated that, as per the instructions of the respondents, the petitioner and others removed their thatched house and vacated the premises, and handed over the same to the respondents to utilise the land for construction of multi-storied tenements with all infrastructures for the utility of the poor and needy people, on the fond hope that the petitioner and others would be considered for allotment of a tenement after its completion. As the respondents have not allotted any tenement in any of their completed projects, the petitioner has sent a representation on 20.03.2017 to the second respondent for allotting a tenement. As there was no response, he had sent a representation on 06.04.2018 to the Hon'ble Minister for Tamil Nadu Slum Clearance, for allotment, but there was no response. Hence this writ petition.

4. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents and perused the materials available on record.

5. Considering the facts and circumstances of the case and the submissions made on either side, this Court, without expressing any opinion on the merits of the case, direct the petitioner to produce all the relevant documents before the second respondent, namely the Managing Director, Tamil Nadu Slum Clearance Board or the Secretary, Tamil Nadu Slum Clearance Board, along with the Token bearing To.Po.No.26 dated 03.04.2010 issued by the second respondent within two weeks. The second respondent, namely the Managing Director, Tamil Nadu Slum Clearance Board or the Secretary, Tamil Nadu Slum Clearance Board, is directed to conduct an enquiry in this regard, verify the particulars provided by the petitioner and pass appropriate orders, if he is otherwise eligible, if any of the completed or on going projects, within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

Asr

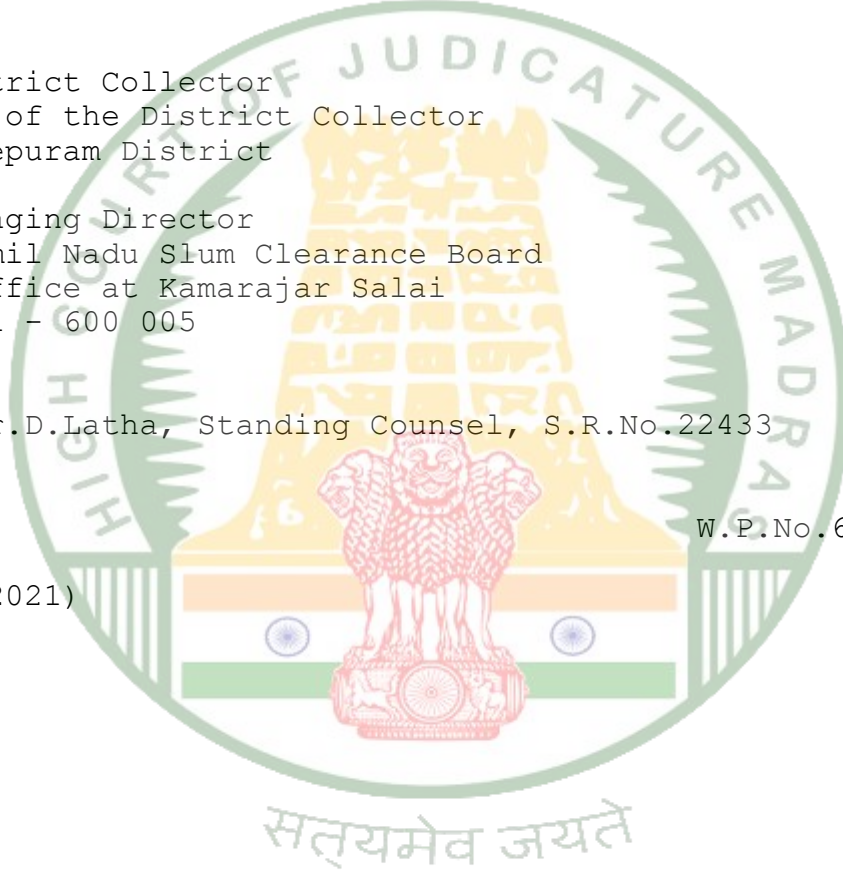
To

- 1.The District Collector
Office of the District Collector
Kancheepuram District
- 2.The Managing Director
The Tamil Nadu Slum Clearance Board
Head Office at Kamarajar Salai
Chennai - 600 005

+1cc to Mr.D.Latha, Standing Counsel, S.R.No.22433

W.P.No.6239 of 2021

JPL(CO)
GN(04/05/2021)



WEB COPY