



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.06.2021

CORAM

THE HONOURABLE MR.JUSTICE R. MAHADEVAN

W.P.Nos.30434 to 30465 of 2013 &
M.P.Nos.1 to 1 of 2013

MRS.R.REVATHI	... PETITIONER in WP No.30434 of 2013
MRS.SHANAZ BEGUM	... PETITIONER in WP No.30435 of 2013
M.RAMESH BABU S/O.K.RUPAVATHY	... PETITIONER in WP No.30436 of 2013
P.PATHIMA AROKIA SAMY	... PETITIONER in WP No.30437 of 2013
MRS.STELLA JAMES	... PETITIONER in WP No.30438 of 2013
K.RAMESH BABU S/O.R.KUPPUSWAMY	... PETITIONER in WP No.30439 of 2013
R.CHINNASWAMY	... PETITIONER in WP No.30440 of 2013
MRS.K.SAMBOORNAM	... PETITIONER in WP No.30441 of 2013
V.MOORTHY	... PETITIONER in WP No.30442 of 2013
M.KALABHARATHI	... PETITIONER in WP No.30443 of 2013
K.KARUNAKARAN S/O KRISHNAN	... PETITIONER in WP No.30444 of 2013
D.SELVANATHAN	... PETITIONER in WP No.30445 of 2013
M.D.KALEEMULLAH	... PETITIONER in WP No.30446 of 2013
P.ADARSH	... PETITIONER in WP No.30447 of 2013
A.SAMPATH KUMAR	... PETITIONER in WP No.30448 of 2013
MRS.R.SHAKILA BEGUM	... PETITIONER in WP No.30449 of 2013
D.M.JEFFRIES	... PETITIONER in WP No.30450 of 2013
D.REGINA MARY	... PETITIONER in WP No.30451 of 2013



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R.MOHANA SUNDARAM

... PETITIONER in WP No.30452 of 2013

PAIDI SESHIAIAH

... PETITIONER in WP No.30453 of 2013

V.D.VARADARAJAN

... PETITIONER in WP No.30454 of 2013

A.DEVARAJAN

... PETITIONER in WP No.30455 of 2013

MRS.SAROJA

... PETITIONER in WP No.30456 of 2013

P.A.KRISHNA MURTHY

... PETITIONER in WP No.30457 of 2013

E.KARUNAKARAN
S/O ETTIAPPAN

... PETITIONER in WP No.30458 of 2013

C.VENKATASWAMY

... PETITIONER in WP No.30459 of 2013

S.MANI

... PETITIONER in WP No.30460 of 2013

G.GUNALAN

... PETITIONER in WP No.30461 of 2013

MRS.KALIDA NASEEM

... PETITIONER in WP No.30462 of 2013

HARISH B.DAVE

... PETITIONER in WP No.30463 of 2013

B.P.DAVE

... PETITIONER in WP No.30464 of 2013

I.JAGDISH RAO

... PETITIONER in WP No.30465 of 2013

Vs.

1.State of Tamil Nadu,
represented by Secretary to Govt.,
Housing & Urban Development
Department, Secretariat,
Fort St. George,
Chennai 600 009.

2.Chennai Metropolitan Development Authority,
represented by its Member Secretary,
No.8, Gandhi Irwin Road,
Egmore, Chennai 600 008.

.. Respondents in all W.P's

Common Prayer in all W.P's: Writ Petitions filed under Section 226 of Constitution of India praying for issuance of Writs of Mandamus directing the respondents to consider the petitioner's representation dated 30.09.2012 and consequently to provide alternative house site.



For Petitioner : Mr.A.Jenasenan
in all W.P.s
For Respondents : Mr.G.Krishnaraja, Govt. Advocate
in all W.P.s for R1 and R2

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COMMON ORDER

The prayer made in these writ petitions is to issue a mandamus directing the respondents to consider the petitioners' representation dated 30.09.2012 through Lakshmi Nagar Residents Welfare Association and provide alternative house site to them.

2. According to the petitioners, they purchased lands in Lakshmi Nagar, Thirunindravur, Thiruvallur District and have been living in the same by constructing houses. While so, they came to know that an outer ring road was proposed to be laid down from Vandalur to Minjur, which would cause the destruction of several houses put in Lakshmi Nagar and the adjacent Prakash Nagar. Hence, the petitioners gave representation dated 30.09.2012 through their Association, seeking to provide alternate site, instead of granting compensation. Finding no response on the said representation, they have come up with these writ petitions for the aforesaid relief.

3. The learned counsel for the petitioners submitted that pursuant to the order of this Court in W.P.No.35705 of 2003 dated 08.12.2003, the very same respondent authorities already provided an alternative site to one M.C.Joseph Vijay, whose land was sought to be acquired for expansion of inner circle road. Hence, the learned counsel sought to extend the same benefit to the petitioners herein, who are the similarly placed persons, by considering the representation submitted by them through their association, in this regard.

4. On the other hand, the learned Government Advocate appearing for the respondents fairly submitted that the respondent authorities would consider the claim of the petitioners and pass orders, on merits, within a time frame to be stipulated by this Court.

5. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the respondent authorities to consider the representation of the petitioners dated 30.09.2012 submitted through their association and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of hearing to the petitioners, within a period of eight weeks from the date of receipt of a copy of this order.



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6. All the Writ Petitions are disposed of accordingly. No costs. Consequently, the connected Miscellaneous petitions are closed.

Sd/-
Deputy Registrar (CS)

//True Copy//

Sub Assistant Registrar

msr

To

1.The Secretary to Govt.,
Housing & Urban Development
Department, Secretariat,
Fort St. George,
Chennai 600 009.

2.Member Secretary, Chennai Metropolitan Development Authority,
No.8, Gandhi Irwin Road,
Egmore, Chennai 600 008.

+2ccs to M/s.A.Jenasenan, Advocate SR No.28924

+1cc to Government Pleader SR No.29023

W.P.Nos.30434 to 30465 of 2013 &
M.P.Nos.1 to 1 of 2013

SKY (CO)
PR (23/08/2021)