

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 30.03.2021
CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. No.7912 of 2021

K.Esther

... Petitioner

Vs

1. The Tamil Nadu Slum Clearance Board,
Rep. by its Chairman,
Kamaraj Salai,
Chennai - 600 005.

2. The Estate Officer,
Estate Office III,
Tamil Nadu Slum Clearance Board,
Chennai - 600 040.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the respondents herein by considering the representation of the petitioner dated 22.02.2021 issue the plot allotment order in respect of the petitioner house site situated in S. No.866/9 part at Old No.6, New No.11, 8th Street, Annai Sathya Nagar, Thirumullaivoyal Village, Chennai - 62, on receipt of the necessary fees under the Tamil Nadu Urban Development project

For petitioner
For respondents

... Mr.T. Karikalan
... Ms.D. Latha,
Standing Counsel

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to consider the petitioner's representation, dated 22.02.2021 seeking for a plot allotment under the TNUDP scheme at Survey No.866/9 part at Old No.6, New No.11, 8th Street, Annai Sathya Nagar, Thirumullaivoyal Village, Chennai - 62 and pass final orders, within a time frame to be fixed by this Court.

2. According to the petitioner, she is eligible for plot allotment from the Tamil Nadu Slum Clearance Board under their TNUDP scheme. The petitioner has given a representation on 22.02.2021 for plot allotment at the aforementioned site. Since, the representation has not been considered, this writ petition has been filed.

3. Ms.D. Latha, learned Standing counsel for the respondents on instructions would submit that on 23.03.2021, the respondents have sent a communication to the petitioner to appear before them, within 3 days from the date of receipt of the said communication to consider the petitioner's representation dated 22.02.2021. However, according to her, the petitioner has till date failed to appear before the respondents.

4. The learned counsel for the petitioner, on instructions would submit that the petitioner is willing to appear before the respondents in the enquiry proceedings to be conducted by the respondents on the petitioner's representation, dated 22.02.2021. No prejudice would be caused to the respondents, if the petitioner representation, dated 22.02.2021 seeking for allotment of a plot is considered by the respondents on merits and in accordance with law.

5. After recording the rival submissions, this Court directs the petitioner to appear before the 2nd respondent on 15.04.2021 at 10.30 a.m. and the 2nd respondent shall hold an enquiry on the petitioner's representation, dated 22.02.2021 seeking for a plot allotment under the TNUDP scheme at Survey No.866/9, part at Old No.6, New No.11, 8th Street, Annai Sathya Nagar, Thirumullaivoyal village, Chennai - 62 and pass final orders on merits and in accordance with law, within a period of four weeks thereafter on the petitioner's representation.

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

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

vsi2

To

1. The Chairman,
The Tamil Nadu Slum Clearance Board,
Kamaraj Salai,
Chennai - 600 005.

2. The Estate Officer,
Estate Office III,
Tamil Nadu Slum Clearance Board,
Chennai - 600 040.

+lcc to Mr.T.Karthikeyan , Advocate SR.No. 20637

+lcc to Mr.D.Ladha, Advocate SR.No. 20607

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A.SK(31.03.2021)