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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.12.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No. 7252 of 2020

T.N.Mahesh

... Petitioner

/Vs/

1. The Principal Secretary to Government/Chairman
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Triplicane,
Chennai-600 005.

2. The Managing Director,
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Triplicane,
Chennai-600 005.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying Writ of Mandamus, directing the respondents to allot a house in the Slum Clearance Board Flats at Chemmancheri in pursuance of the representation of the petitioner dated 30.01.2017.

For Petitioner : Mr.P.Rathnavel

For R-1 : Mr.K.Karthikeyan,
Government Advocate

For R-2 : Ms.D.Latha,
Standing counsel

ORDER

The present petition has been filed seeking issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 30.01.2017 for house allotment in Slum Clearance Board, Chemmancheri.

2. The case of the petitioner is that the petitioner was evicted in the year 2010 by the respondents Board from his newly constructed house for the purpose of constructing a new eight



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storied building which is situated near the office of the Slum Clearance Board and when the petitioner and the other occupants raised their objections for eviction from the said place, assurance was given by the respondents officials that a house in the newly constructed Flats will be provided to them. Based on the assurance, the petitioner was not allotted a house however, the other persons were allotted a house. Since, the petitioner had constructed the above said house after obtaining loan from bank, had made a representation dated 30.01.2017 to the 2nd respondent herein for which a letter dated 08.05.2018 was issued stating that hut dwellers will be given the first priority in allotment of house and the petitioner's representation would be considered which was contrary to the assurance given by the officials at the time of demolishing his house. Aggrieved by the same, the petitioner sent a legal notice dated 12.06.2019 to the respondents for which a reply dated 19.08.2019 was given stating that steps are taken for allotting houses under the Perumbakkam Housing Scheme. However, till date, the petitioner was not allotted a house. Hence, the present Writ Petition is filed seeking the above relief.

3. Though very many grounds have been raised, the learned counsel appearing for the petitioner submits that it would suffice if this Court issues direction to the respondents to consider the petitioner's representation dated 30.01.2017 for allotting a house to the petitioner in the Slum Clearance Flats.

4. The learned standing Counsel appearing for the 2nd respondent submits that the petitioner's representation dated 30.01.2017 was considered and identity card was issued to the petitioner for getting allotment in the Slum Clearance Board Flats and the same will be provided under the Perumbakkam Housing Scheme and the same is recorded.

5. Upon hearing the learned counsel for the petitioner and taking into consideration the submission made by the standing counsel for the 2nd respondent, the said submission is recorded and this Court directs the 2nd respondent to allot a house in the Slum Clearance Board Flats in favour of the petitioner as expeditiously as possible under the said scheme.

6. Accordingly, this Writ Petition is disposed of with the aforesaid direction. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar



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To

1. The Principal Secretary to Government/Chairman
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Triplicane,
Chennai-600 005.
2. The Managing Director,
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Triplicane,
Chennai-600 005.

+1cc to the Government Pleader, S.R.No.67503

W.P.No. 7252 of 2020

SVI (CO)
SB(24/01/2022)