



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2021

CORAM :

THE HONOURABLE MR. JUSTICE S.M. SUBRAMANIAM

W.P.No.22739 of 2014

R.Murugesan

... Petitioner

Vs.

The Chairman
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Chennai.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of mandamus, directing the respondent to consider the representation dated 09.06.2014.

For Petitioner : Mr.T.Arunkumar

For Respondent : Mr.M.Paul Rajendran

O R D E R

The relief sought for in the present Writ Petition is to consider the representation of the petitioner dated 09.06.2014. A perusal of the said representation reveals that the petitioner made a request to the respondent to pass order of allotment and issue sale deed in his favour for an extent of 2042 Sq.ft in O.S.No.4123/1 bearing old No.53, New No.16, Venkatakrishna Iyer Road, Mandaiveli, Chennai - 600 028, as the petitioner was in possession.

2. This Court is of the considered opinion that such a relief sought for before the authorities cannot be considered by this Court by merely issuing a direction to the respondent to consider the representation. It is a precondition to entertain a Writ Petition that the petitioner has to establish a right. In the absence of establishing a right, the Writ Petition is not entertainable. The petitioner is, whether in a legal occupation or not, itself, is not made clear.

3. Further, the allotment of plot and execution of sale deed cannot be claimed by way of right by merely filing a Writ Petition to direct the respondent to consider the representation. It requires an adjudication with reference to



the terms and conditions of allotment and also for execution of sale deed.

4. This being the factum, the relief as it sought for cannot be granted as the petitioner failed to establish any right for consideration. Accordingly, the Writ Petition stands dismissed. No costs.

Sd/-
Assistant Registrar(CO)

//True copy//

Sub Assistant Registrar

kan/shr

To

The Chairman
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Chennai.

W.P.No.22739 of 2014

NR(CO)
GMY(07/12/2021)