

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2021

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.616 of 2016
& W.M.P.No.446 of 2016

Pachaiammal ... Petitioner

Vs

1.The Tahsildhar,
Taluk Office,
Vandavasi,
Tiruvannamalai District.

2.The Executive Engineer,
Office of the Executive Engineer,
Salem Division,
Tamil Nadu Slum Clearance Board,
No.5/1, Ramakrishna Road,
Salem - 636 007

3. The District Collector,
Thiruvannamalai.
(R-3 is suo-motu impleaded
vide order dated 06.01.2021
made in W.P.No.616/2016 by AQJ)

.... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking for an issuance of a writ of mandamus to allot a house to the petitioner in the newly constructed slum clearance board apartment for rehabilitating the families who have lost their house during the construction of approach road to the New Bus Stand in Vandavasi Town.

For Petitioner : Mr.M.Venkatakrisnan
For Respondent-1 : Mr.K.Parameshwaran
Govt.Advocate.
For Respondent-2 : Mr.B.Kesavan

ORDER

Suo-motu, as the District Collector, Thiruvannamalai, is a necessary party, is impleaded as the third respondent in this Writ Petition by this Court.

2. This Writ Petition has been filed for a mandamus seeking for a direction to the first respondent to allot a house to the petitioner in the newly constructed slum clearance board apartment for rehabilitating the families, who have lost their houses during the construction of approach road to the New Bus Stand in Vandavasi Town.

3. The case of the petitioner is that she was displaced illegally by the respondents and an alternative apartment has also not been given to her by the Tamil Nadu Slum Clearance Board. It is the case of the petitioner that many of the persons, who were evicted, were provided alternate accommodation excepting for the petitioner and few others. It is the case of the petitioner that she has produced all the documents before the respondents to prove that she was in possession of the property, when she was evicted by the respondents. According to her, despite the same, till date, no alternative apartment has been provided to the petitioner by the respondents. In such circumstances, this Writ Petition has been filed.

4. Heard Mr.M.Venkatakrishnan, learned counsel for the petitioner, Mr.K.Parameshwaran, learned Government Advocate appearing for the respondents 1 and 3 and Mr.B.Kesavan, learned counsel for the respondent-2.

5. On instructions, Mr.K.Parameshwaran, learned Government Advocate appearing on behalf of the respondents 1 and 3 would submit that the petitioner's request for alternate accommodation in the place of the displaced one is under consideration by the third respondent, namely, the District Collector, Tiruvannamalai. The learned Government Advocate would further submit that the third respondent will be able to pass final orders within a period of 12 weeks. For this submission, the learned counsel for the petitioner is satisfied.

6. For the foregoing reasons, this Court directs the third respondent to pass final orders with regard to the allotment of alternate accommodation to the petitioner in lieu of the apartment from where the petitioner was evicted earlier due to the construction of approach road to the new bus stand in Vandavasi Town, within a period of 12 weeks from the date of receipt of a copy of this order.

7. With the aforesaid direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

srn
To

1.The Tahsildhar,
Taluk Office,
Vandavasi,
Tiruvannamalai District.

2.The Executive Engineer,
Office of the Executive Engineer,
Salem Division, Tamil Nadu Slum Clearance Board,
No.5/1, Ramakrishna Road,
Salem - 636 007

3. The District Collector,
Thiruvannamalai.

W.P.No.616 of 2016
& W.M.P.No.446 of 2016

jp[col]
srg 09/02/2021

WEB COPY