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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2021

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THE HONOURABLE MR.JUSTICE R. MAHADEVAN

W.P.Nos.21158, 21159, 21161, 21163, 21166,
21373, 21377, 21379 & 21383 of 2021

K.Mahalakshmi	..Petitioner in W.P.No.21158 of 2021
G.Indira	..Petitioner in W.P.No.21159 of 2021
P.Ravikumar	..Petitioner in W.P.No.21161 of 2021
S.P.Subburaj	..Petitioner in W.P.No.21163 of 2021
A.Kumar	..Petitioner in W.P.No.21166 of 2021
G. Adithan	..Petitioner in W.P.No.21373 of 2021
R. Chandra	..Petitioner in W.P.No.21377 of 2021
A. Sagul Hameed	..Petitioner in W.P.No.21379 of 2021
K. Gopal	..Petitioner in W.P.No.21383 of 2021

Versus

1. The Chairman,
Tamilnadu Slum Clearance Board,
Chennai - 600 002.
 2. The Administrative Engineer,
Division - IV,
Tamilnadu Slum Clearance Board,
T.P.Chatram,
Chennai - 600 008.
- ..Respondents in all the WPs.

Common Prayer: Petitions filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the 1st respondent to dispose the representations dated 15.09.2021 within the stipulated period as prescribed by this Hon'ble High Court.

For Petitioners : Mr. G. Thangavel for all Wps

For Respondents : Mr. M. Rajasekhar for all WPs



COMMON ORDER

These writ petitions have been filed praying to issue a Writ of Mandamus to direct the first respondent to dispose of the representations dated 15.09.2021 submitted by the petitioners within the time to be stipulated by this Court.

2. The petitioners herein are licensees, having been allotted various bunk shops within the administrative control of the respondents. It is claimed that they have been in occupation of the respective shops for a long time and have been paying the rent and/or revised rent without any default. While so, the respondents issued notices of eviction purportedly to renovate the existing old buildings which are situated adjacent to their shops. On receipt of the notices of eviction, the petitioners have submitted individual representations stating that in identical case filed before this Court, an order dated 28.08.2019 was passed directing the respondents herein to furnish an undertaking that the individual petitioners therein will be allotted a residential unit upon re-construction. Seeking to extend the same benefit, the petitioners have also filed representations to the respondents. However, it is stated that the respondents did not pass any orders thereof, hence, the present writ petitions are filed.

3. The learned counsel appearing for the petitioners placed reliance on the order dated 28.08.2019 passed by this Court in WP No. 15616 of 2018. In the said writ petition, an undertaking was given by the respondents to the effect that "if construction of Economically Weaker Section (EWS) tenement is opted in future in the above said land area, the request of the petitioners therein will be considered and preference will be given to the petitioners in the event of surrendering their existing new allotment of tenement in their name to the Board." The learned counsel for the petitioners therefore prayed this Court to issue appropriate direction to the respondents to give preference to the petitioners herein in the event of demolition of the existing building, upon re-construction.

4. On the other hand, the learned counsel appearing for the respondents submitted that the undertaking given in the aforesaid WP No. 15616 of 2018 was only with respect to residential allotment and it will not cover the bunk shops. However, the learned counsel submitted that the representations of the petitioners herein will be considered on merits and appropriate orders will be passed, within a time to be stipulated by this court.

5. In view of the submissions made by the learned counsel on either side, this court, directs the first respondent to



consider the petitioners' representations dated 15.09.2021 and pass appropriate orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

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6. Accordingly, all the writ petitions are disposed of. No costs.

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

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To

1. The Chairman
Tamilnadu Slum Clearance Board
Chennai - 600 002
2. The Administrative Engineer
Division - IV
Tamilnadu Slum Clearance Board
Chennai - 600 008

+9cc to Mr.G.Thangavel, Advocate, S.R.No.54117 to 54122,
54123, 54124, 54125
+1cc to Mr.M.Rajasekhar, Advocate, S.R.No.54543

W.P.Nos.21158, 21159, 21161, 21163,
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GJ(CO)
RGA(01/12/2021) (12/10/2021)