

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2021

CORAM

THE HON'BLE MR.JUSTICE B. PUGALENDHI

WP No.19970 of 2020
and WMP No.24649 of 2020

M.Parvathy

..Petitioner

Vs.

1. The Government of Tamil Nadu
Rep. by its Commissioner,
Land Administration,
Chepauk,
Chennai 600 005.
2. The Commissioner
Chennai Corporation,
Ripon Building,
Chennai 600 002.
3. The Revenue Officer,
Corporation of Chennai,
Ripon Buildings,
Chennai 600 002.
4. The Zonal Officer
For Zone IV,
Chennai Corporation,
Ayanavaram,
Chennai 600 023.

..Respondents

Prayer:- Writ petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to provide alternative accommodation to the petitioner based on G.O.Ms.No.318 dated 30.08.2019 within the time frame to be stipulated by this Court.

For Petitioner : Mr. T.S.Rajamohan

For Respondents: Mr.M.Elumalai
Additional Govt.Pleader for R1
Mr.Ramadevi
Standing Counsel for R2 to R4

ORDER

By consent of the learned counsel on either side, this Writ Petition is taken up for final disposal at the admission stage itself. Mr.M.Elumalai, learned Additional Government Pleader takes notice for first respondent and Ms.Ramadevi, learned Standing Counsel takes notice for the respondents 2 to 4.

2. This writ petition has been filed for the issuance of a writ of mandamus directing the respondents to provide alternative accommodation to the petitioner based on G.O.Ms.No.318 dated 30.08.2019.

3. The case of the petitioner is that she was in occupation of a Government land in R.S.No.3217/1 part, Purasaivalkam Village, for more than 60 years and she is also treating patients who suffer bone fracture for a nominal. All of a sudden the respondents have removed the super structure and driven out the petitioner from the said land.

4. The learned counsel appearing for the petitioner by referring G.O.Ms.No.318 dated 30.08.2019 submitted that the Government order provides for an alternate accommodation if it is an unobjectionable land. He further submitted that the petitioner is aged about 76 years and also having an handicapped daughter. Hence the petitioner may be granted an alternate accommodation.

5. Mr.Elumalai, learned Additional Government Pleader submitted that the Government also prescribes certain norms for alternative site provided if the petitioner is below poverty line and also fulfills the other requirements of the norms meant for alternate accommodation.

6. Heard both sides.

7. Considering the said submissions, if the petitioner satisfies the norms for any alternate accommodation, the first respondent shall consider the representation of the petitioner dated 16.11.2020 and also taking note of the fact that the the petitioner is aged about 76 years and leading a below poverty line with an handicapped daughter. If the petitioner is eligible under any of the norms for alternative accommodation, the same shall be considered within a period of six weeks from the date of receipt of a copy of this order.

8. This writ petition is disposed of with the above directions. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

DPQ

To

1. The Commissioner,
Land Administration,
Chepauk,
Chennai 600 005.

2. The Commissioner
Chennai Corporation,
Ripon Building,
Chennai 600 002.

3. The Revenue Officer,
Corporation of Chennai,
Ripon Buildings,
Chennai 600 002.

4. The Zonal Officer
For Zone IV,
Chennai Corporation,
Ayanavaram,
Chennai 600 023.

+2cc to Mr.T.S.Rajamohan, Advocate, S.R.No.332

+1cc to M/s.P.T.Ramadevi, Advocate, S.R.No.443

+1cc to the Government Pleader, S.R.No.173

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UM(CO)

rv(08/02/2021)

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