



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

WRIT PETITION NO.31795 OF 2019

K.Mohan

...Petitioner

vs.

1.The Managing Director,
Tamil Nadu Slum Clearance Board,
5, Kamarajar Salai,
Chennai 600 015.

2.I.V.Ramamoorthy

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the 1st Respondent to issue allotment order in favour of the Petitioner pertaining to Plot No.331 in Velachery Lakshmiapuram Allotment Scheme.

For Petitioner : Mr.A.Muruganandam

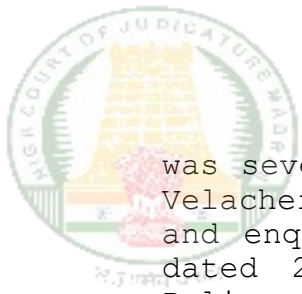
For 1st Respondent : Mr.M.Rajasekhar

For 2nd Respondent : Mr.R.Vinothkumar

O R D E R

Petitioner has come up with the present Writ Petition seeking a direction to the 1st Respondent to issue allotment order in his favour pertaining to Plot No.331 in Velachery Lakshmiapuram allotment Scheme.

2. According to the Petitioner, he was residing at No.24/T, Throwpathi Amman Koil, 5th Street, Velachery by putting a small hut, since 1990. After the introduction of Lakshmiapuram Allotment Scheme, Velachery by the Tamil Nadu Slum Clearance Board during the year 1995, the Petitioner paid a sum of Rs.161/- to the 1st Respondent and his name was included in the eligibility list issued by the Slum Clearance Board. The Petitioner approached the 1st Respondent to issue allotment order in his favour and made representations to the Board. As the 2nd Respondent encroached his land with rowdy elements and that, he



was severely attacked, the Petitioner lodged a complaint in J-7, Velachery Police Station on 24.01.2007 against the 2nd Respondent and enquiry is still pending. The 1st Respondent sent a letter dated 24.01.2008 to the Inspector of Police, J-7, Velachery Police Station, stating that, the Petitioner's name is included in the Eligibility list of the 1st Respondent with respect to Plot No.331. However, the 1st Respondent has not taken any steps to issue allotment order in favour of the Petitioner. Hence, having no other alternative, the Petitioner is before this Court with the above Writ Petition.

3. Learned counsel for the Petitioner submitted that, though the Petitioner is willing to pay the instalments due to the 1st Respondent/Slum Clearance Board, the Board is refusing to receive the same. However, he submitted that, a direction may be issued to the 1st Respondent to consider and pass orders on the Petitioner's representation dated 20.07.2010, within a stipulated time.

4. Learned Standing Counsel appearing for the 1st Respondent/Board submitted that, though the Petitioner was initially identified as an eligible person, as he did not pay the instalments due to the 1st Respondent/Board, the 2nd Respondent, who paid the instalments due to the Board properly, was identified as an eligible person. However, he submitted that, the Petitioner's representation may be directed to be considered in accordance with law.

5. Considering the facts and circumstances of the case and taking note of the submissions of the learned counsel on either side, this Court directs the Petitioner to send a copy of the representation dated 20.07.2010 along with a copy of this order to the 1st Respondent/Board within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the 1st Respondent is directed to consider the Petitioner's representation dated 20.07.2010 in accordance with law and pass appropriate orders after affording an opportunity of hearing to the parties, within a period of six weeks.

The Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CO)

// True Copy //

Sub Assistant Registrar

(aeb)



To:

The Managing Director,
Tamil Nadu Slum Clearance Board,
5, Kamarajar Salai,
Chennai 600 015.

+1cc to Mr.A.Muruganandam, Advocate SR.No.67328

W.P.No.31795 of 2019

JPL (CO)
RVM(24/01/2022)