



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.02.2022

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.2977 of 2022

N.Vembuli

...Petitioner

Vs

1.The Principal Secretary/Chairman,
Tamil Nadu Slum Clearance Board,
Government of Tamil Nadu,
Chennai - 600 009.

2.The Managing Director,
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai, Chepauk,
Chennai 600 005.

3.Assistant Secretary (Plots),
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai, Chepauk,
Chennai 600 005.

4.The Estate Officer VIII,
83rd Street, Sivalingapuram,
K.K. Nagar, Chennai 78.

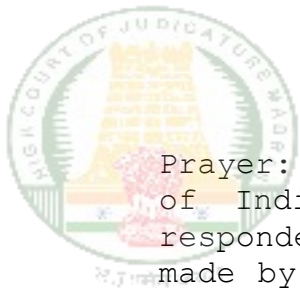
5.The Sub Registrar,
Sub Registrar Office,
Ashok Nagar, Chennai 78.

6.The Tahsildar,
Mambalam Taluk,
Bharathidasan Salai, Chennai 83.

7.Mr.Kamalakanan

8.Mrs.Malligai Rajam

... Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing 1 to 6 respondents to consider and thereby disposing the representation made by petitioner appeal filed on 14.10.2020 against petitioner representation dated 18.12.2018 and 21.12.2018 within a stipulated time frame fixed by this Court in accordance with law.

For Petitioner : Mr.R.Rangarajan

For Respondents-1 to 4 : Mr.M.Rajasekar

For Respondent-5 : Mr.R.P.Murugan Raja

For Respondent-6 : Mr.Vadivelu Deenadayalan,
Additional Government Pleader.

O R D E R

Heard Mr.R.Rangarajan for the petitioner, Mr.M.Rajasekar for R-1 to 4/Tamil Nadu Slum Clearance Board, Mr.R.P.Murugan Raja for R-5/Sub Registrar and Mr.Vadivelu Deenadayalan for R-6/Tahsildar. In light of the order passed in the paragraphs to follow, no notice is thought necessary to private respondents 7 and 8.

2. The petitioner seeks a Mandamus directing the official respondents to consider and dispose his representation/appeal filed on 14.10.2020 within a stipulated time frame.

3. In brief, the petitioner would claim that he had purchased the property at Door No.10A, Annal Gandhi Street, M.G.R Nagar, Chennai - 600 078 admeasuring an extent of 800 square feet (property/property in question) through registered Sale Deed dated 18.04.1988. The petitioner was in absolute possession of the property uninterruptedly till a portion of the said property was sold, he states.

4. Disputes arose between the petitioner and his neighbour, as a result of which the petitioner made a representation to R-1 seeking executing of the Sale Deed in his favour in respect of the property in question. R-2 replied stating that such representation would be considered only after receiving appropriate Government Order from the Government.

5. There was a delay in the interregnum and the petitioner suffered order dated 26.08.2019 rejecting the petitioner's



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Court and second, by approaching the Slum Clearance Board instead of filing a statutory appeal before the Government.

13. In the light of the view expressed in the paragraphs supra, the petitioner is permitted to move an appeal challenging order dated 26.08.2019 and such appeal, if filed within a period of two weeks from today, will be taken on file by the Principal Secretary to the Government of Tamil Nadu without reference to limitation, petitioner and heard by the Officer in line with the principles of natural justice and orders passed within a period of eight weeks from receipt of appeal.

14. This Writ Petition is disposed as above. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CS-VIII)

// True Copy //

Sub Assistant Registrar

Jeni/Svn

To

- 1.The Principal Secretary/Chairman,
Tamil Nadu Slum Clearance Board,
Government of Tamil Nadu
Chennai - 600 009.
- 2.The Managing Director,
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai, Chepauk,
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- 3.The Assistant Secretary (Plots),
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- 4.The Estate Officer VIII,
83rd Street, Sivalingapuram,
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- 5.The Sub Registrar,
Sub Registrar Office,
Ashok Nagar, Chennai 78.



6.The Tahsildar,
Mambalam Taluk,
Bharathidasan Salai, Chennai 83.

+2cc to Mr.Rangarajan, Advocate SR.No.11442
+1cc to the Government Pleader, SR.No.11999

W.P.No.2977 of 2022

MG(CO)
CB(04/04/2022)