



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.34548 OF 2015
& M.P.NO.1 OF 2015

R.Raji

... Petitioner

Vs

1. The Chairman,
Tamil Nadu Slum Clearance Board,
Kamaraj Salai, Chennai - 600 005.
2. The Executive Engineer,
Tamil Nadu Slum Clearance Board,
Seniamman Nagar Scheme,
Tondiarpet, Chennai - 600 081.
3. The Inspector of Police,
H-3, Tondiarpet Police Station,
Chennai - 600 081.

... Respondents

PRAYER :

Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents from evicting the petitioner by demolishing the superstructure at No.B1, 1/1, Seniamman Nagar, Ilaya Mudali Street, Tondiarpet, Chennai - 600 081.

For Petitioner : Dr.G.Krishnamurthy

For Respondents

R1 & R2 : Mrs.D.Latha
R3 : Mr.T.Venkateshkumar
Special Government Pleader



O R D E R

The relief sought for in the present writ petition is to forbear the respondents from evicting the petitioner by demolishing the superstructure at No.B1, 1/1, Seniamman Nagar, Ilaya Mudali Street, Tondiarpet, Chennai- 600 081 except due process of law.

2.The learned counsel appearing for the petitioner made a submission that without providing opportunity, actions are initiated for demolition.

3.However, the learned counsel appearing for the respondents 1 and 2 states that the petitioner is an encroacher.

4.All these factors are to be adjudicated and at this length of time, this Court need not consider the relief as such sought for in the present writ petition. If the petitioner have any right in respect of the subject property, it is left open to the petitioner to approach the competent authority for establishing such a right.

5.With these observations, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

cse

To

1. The Chairman,
Tamil Nadu Slum Clearance Board,
Kamaraj Salai, Chennai - 600 005.
2. The Executive Engineer,
Tamil Nadu Slum Clearance Board,
Seniamman Nagar Scheme,
Tondiarpet, Chennai - 600 081.



3. The Inspector of Police,
H-3, Tondiarpet Police Station,
Chennai - 600 081.

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+1cc to Mrs.D.Latha, Advocate, S.R.No.6263
+1cc to the Government Pleader, S.R.No.6003

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PL (CO)
PM/16/02/2022