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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.04.2022

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P. NO.9346 OF 2022

Jeevarekha

... Petitioner

Vs.

1. Secretary to Government,
Housing and Urban Development Dept,
Chennai-600009
2. The Chairman,
Tamil Nadu Slum Clearance Board,
Chennai.
3. The Estate Officer-II
Tamil Nadu Slum Clearance Board,
Chennai.

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to execute the sale deed in favour of the petitioner.

For Petitioner : Mr.Sudharshana Sundar
For Respondents : Mr.E.Sundaram [R1]
Government Advocate
Mr.M.Rajaseker [R2 and R3]

O R D E R

Read this order in conjunction with order dated 19.04.2022, reading as follows:

Mr.E.Sundaram, learned Government Advocate accepts notice for R1 and seeks some time to obtain instructions and file a counter.



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2. Notice through Court as well as privately to R2 and R3, returnable 21.04.2022. Private notice to the panel counsel is also permitted. Proof of service be placed on file by then.

3. The petitioner will produce the acknowledgment for representation, stated to have been filed before the Tamil Nadu Slum Clearance Board.

4. List on 21.04.2022 at the end of admission list. Counter by then with an advance copy served upon the petitioner.

2. Today Ms.Sudharshana Sunder, learned counsel for the petitioner would confirm that there is no acknowledgment for any representation before the authorities and she prays that the petitioner be permitted to make a fresh representation before the respondent that may be directed to be considered on merits.

3. An objection is raised by Mr.M.Rajasekar, learned counsel for R2 and R3, who states that, as a policy, the allottee is not permitted to commercially exploit the premises allotted to them.

4. However, this Court does not wish to anticipate the request/plea of the petitioner and leaves it open to the petitioner to make such request/plea as she may desire making it abundantly clear that the respondents are fully at liberty to consider the same in accordance with law and all applicable rules and regulations.

5. Such representation as above, if filed within a period of four weeks from today, accompanied by all requisite documents, including requisite legal heirship certificate, shall be considered by the respondents after hearing the petitioner and any other party that may be necessary and orders passed within a period of four weeks from date of receipt of the representation of the petitioner.

6. This writ petition is disposed as above. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ska



To

1. Secretary to Government,
Housing and Urban Development Dept,
Chennai-600009.

2. The Chairman,
Tamil Nadu Slum Clearance Board,
Chennai.

3. The Estate Officer-II
Tamil Nadu Slum Clearance Board,
Chennai.

+1cc to Mr.Sudharshana Sundar, Advocate, S.R.No.27173
+1cc to the Government Pleader, S.R.No.27988

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AD(CO)
PM/24/05/2022