

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

WP.NO.16706/2019

M.Raghuraman

...Petitioner

Vs

1.Tamil Nadu Slum Clearance Board
Represented by its Managing Director,
No.5, Kamarajar Salai, Chennai 600 005.

2.The Estate Officer
Estate Office-3
Tamil Nadu Slum Clearance Board
Thirumangalam, Chennai 600 005.

3.P.Mohanakrishnan

4.P.Balakrishna

...Respondents

RR3&4 impleaded vide order dated
09/07/2019 made in WMP.No.19165/2019
in WP.No.16706/2019

Prayer : Writ Petition filed Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the 1st respondent to consider the representation of the petitioner dated 30.10.2018.

For Petitioner : Mr.K.Balasubramaniam

For R1 & R2 : Mr.M.Gouthaman
Standing counsel

ORDER

- (1) Heard Mr.K.M.Balasubramaniam, learned counsel for the petitioner and Mr.M.Gouthaman, learned Standing counsel appearing for the respondents.
- (2) The petitioner seeks a writ of mandamus directing the respondents to consider his representation dated 30.10.2018.

- (3) According to the petitioner, Plot No.119, in Lakshmiammam Nagar, Part-I Scheme, was allotted to the petitioner and the petitioner had also paid the initial down payment on 05.07.1990. However, the said allotment was not regularised despite the possession of the petitioner having been certified by the Village Administrative Officer and the Revenue Department which had issued a patta to the petitioner on 01.07.2003. It appears that the nephews of the petitioner filed a suit in OS.No.192/2003 seeking a permanent injunction claiming that they are in possession of the plot that is allotted to the petitioner, which came to be dismissed on 05.01.2013 and an appeal there from was also dismissed on 23.02.2018.
- (4) It is seen from the proceedings of the 1st respondent dated 02.06.2015 that the occupation of the petitioner of Plot No.119 is admitted. Even though the 1st respondent has sought for documents from the Estate Officer, namely, the 2nd respondent, with reference to Plot No.119 in order to allot the same to the petitioner as early as on 02.06.2015, nothing useful has happened thereafter. The petitioner, after the disposal of the appeal by the Sub Court, Poonamallee, had made the subject representation on 30.10.2018 seeking allotment of the land to him. The same remains pending with the respondents.
- (5) In the light of the facts narrated above, the silence of the respondents is clearly unjust. Hence, there will be a direction to the respondents to dispose of the representation of the petitioner dated 30.10.2018 in respect of Plot No.119 within a period of eight weeks from the date of receipt of a copy of this order.
- (6) The writ petition stands disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-VII)

// True Copy //

Sub Assistant Registrar

AP

To

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

2.The Estate Officer
Estate Office-3
Tamil Nadu Slum Clearance Board
Thirumangalam
Chennai 600 005.

+1cc to Mr.K.Balasubramaniam, Advocate Sr.No,40854

+1cc to Mr.M.Gouthaman, Advocate Sr.No.41463

W.P.No.16706/2019

SR-II (CO)
RVM(18/07/2022)