



W.P.No.28511 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.28511 of 2022

K.Kalaivani

.... Petitioner

-Vs-

1.The Principal Secretary to Government
Housing and Urban Development
Secretariat, Fort St.George
Chennai 600 009.

2.The Managing Director
Tamil Nadu Slum Clearance Board
Kamarajar Salai, Chennai 600 005.

3.The Estate Officer
The Tamil Nadu Slum Clearance Board
T.P.Chathiram, Chennai 600 010.

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 1st Respondent herein to consider the petitioners representation dated 14.09.2022 requesting to dispose her Appeal dated 24.03.2022 submitted to transfer the allotment of the property bearing Plot No. 124 Door No. 06 19th Cross Street V.S.Puram T.P.Chathiram Chennai-600 030 measuring an extent of 1.05.5 Ares on the basis of the registered will dated 03.10.1999 from the name of her mother-in-law Tmt.Late. Veerammal to her name within the time frame to be fixed by this Honorable Court.



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For Petitioner : Mr.S.V.S.Ilamvazhuthi
For Respondents : Mr.T.K.Saravanan
Government Advocate – for R1
Mr.M.Babu Muthu Meeran
Standing Counsel – for RR 2 and 3

ORDER

The prayer sought for herein is for a Writ of Mandamus directing the 1st Respondent herein to consider the petitioners representation dated 14.09.2022 requesting to dispose her Appeal dated 24.03.2022 submitted to transfer the allotment of the property bearing Plot No. 124 Door No. 06 19th Cross Street V.S.Puram T.P.Chathiram Chennai-600 030 measuring an extent of 1.05.5 Ares on the basis of the registered will dated 03.10.1999 from the name of her mother-in-law Tmt.Late. Veerammal to her name within the time frame to be fixed by this Court.

2. The case of the petitioner is that, the petitioner's mother-in-law one Veerammal was allotted a tenement at T.P.Chathiram 19th Street by the respondent Board and during her lifetime she executed a Will in favour of the husband of the petitioner for possessory right and subsequently the legal heirs of the petitioner and her husband can inherit the property. Based on the same, when the petitioner approached the respondent Board to transfer the allotment



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in favour of the petitioner, it was rejected by the respondents, as against which the petitioner preferred an appeal before the first respondent on 16.03.2021 and the said appeal since has not been disposed of by the first respondent, the petitioner has moved the present writ petition with the aforesaid prayer.

3. Heard Mr.S.V.S.Ilamvazhuthi learned counsel for the petitioner, Mr.T.K.Saravanan, learned Government Advocate for the first respondent and Mr.M.Babu Muthu Meeran, Standing Counsel for the Tamil Nadu Slum Clearance Board.

Learned Government Advocate would submit that the appeal filed by the petitioner on 16.03.2021, if not already been disposed of, would be decided and disposed of on merits and in accordance with law within a time frame that may be stipulated by this Court.

4. Considering the aforesaid submissions made by the learned Government Advocate and having regard to the facts of the case, this Court is inclined to dispose of this writ petition with a direction to the first respondent to decide and dispose of the appeal filed by the petitioner on 16.03.2021 on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. With the above direction, this writ petition is



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disposed of. No costs.

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Index : Yes/No

Internet : Yes/No

KST

To

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R. SURESH KUMAR, J.

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