



W.P.(MD) Nos.15563 to 15587 of 2021

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

AND

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD)Nos.15563 to 15587 of 2021

and

W.M.P.(MD)Nos.12499, 12500, 12502 to 12549 of 2021

W.P.(MD)No.15563 of 2021

Gnana Prakasam

... Petitioner

-Vs-

1.The Chairman,

Tamil Nadu Slum Clearance Board,

No.5, Kamarajar Salai,

Chepauk, Chennai – 600 005.

2.The Secretary,

Housing and Urban Development Department,

Secretariat,

Chennai – 600 005.

Page 1 of 8



W.P.(MD) Nos.15563 to 15587 of 2021

WEB COPY

3.The Engineer in Chief (Water Resources Organization),

Public Works Department, PWD Estate,
Chepauk, Chennai-600 005.

4.The District Collector,

Madurai District,
Madurai – 625 020.

5.The Commissioner,

Madurai Corporation,
Madurai – 625 020.

6.The Tamil Nadu Slum Clearance Board,

Represented by its Executive Engineer,
169, K.K.Nagar Main Road,
Opp. Jawahar Hospital,
Madurai – 625 020.

7.The Assistant Engineer,

The Public Works Department,
Irrigation Section No:II,
Periyar Vaigai Basin Sub Division No.1,
P.W.D.Office, Tallakulam, Madurai – 625 002.

Page 2 of 8



W.P.(MD) Nos.15563 to 15587 of 2021

8.The Deputy Director,

Town and Country Planning Department,
No.4, Hakkim Ajmalkhan Road,
Chinna Chokkikulam,
Madurai – 625 002.

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents from evicting the petitioner from his residential house situated in Survey No.23/24, Plot No.3 Nehruji Street, Mullai Nagar, Madurai without following due process of law by considering the fact that the petitioner's residential plot was approved by the 8th respondent office and sold by the 6th respondent office, Madurai.

For Petitioner	: Mr.R.Karunanidhi
For R1 to R4,	: Mr.S.P.Maharajan
R7 & R8	Special Government Pleader
For R6	: Ms.Latha

COMMON ORDER

[Order of the Court was made by R.MAHADEVAN, J.]

These Writ Petitions have been filed to forbear the respondents from evicting the petitioners from their residential houses situated in Survey

Page 3 of 8



W.P.(MD) Nos.15563 to 15587 of 2021

WEB C No.23/24, at Mullai Nagar, Madurai, without following due process of law, by considering the fact that the petitioners' residential plots were approved by the 8th respondent and sold by the 6th respondent.

2.The claim of the petitioners is that they purchased house sites from the office of the 6th respondent and the same were approved by the office of the 8th respondent. The grievance of the petitioners is that now, the respondents are trying to evict them from their residential houses without following due process of law. In this regard, though they made representations to the respondents, the same have not been considered so far. Hence, these Writ Petitions.

3.Today, when the matter was taken up for hearing, the learned counsel for the petitioners submitted that it is suffice, if the respective representations of the petitioners are considered and appropriate orders are passed within a time frame.

4.Heard the learned counsel on either side.

Page 4 of 8



W.P.(MD) Nos.15563 to 15587 of 2021

WEB COPY

5.Considering the limited scope of the prayer now sought for by the petitioners, without going into the merits of the case, we direct the authorities concerned to consider the representations of the petitioners and pass appropriate orders on merits and in accordance with law. If there is any encroachment in the place in question, the authorities shall remove the same, after giving sufficient opportunity to all the parties concerned and by following due process of law. Such an exercise shall be completed within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6.With the above direction, these Writ Petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

[R.M.D., J.] & [J.S.N.P., J.]

19.10.2022

Index : Yes / No

Internet : Yes / No

Myr

Page 5 of 8



W.P.(MD) Nos.15563 to 15587 of 2021

WEB COPY

To

- 1.The Chairman,
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Chepauk, Chennai – 600 005.
- 2.The Secretary,
Housing and Urban Development Department,
Secretariat, Chennai – 600 005.
- 3.The Engineer in Chief (Water Resources Organization),
Public Works Department, PWD Estate,
Chepauk, Chennai-600 005.
- 4.The District Collector,
Madurai District,
Madurai – 625 020.
- 5.The Commissioner,
Madurai Corporation,
Madurai – 625 020.



W.P.(MD) Nos.15563 to 15587 of 2021

WEB COPY

- 6.The Assistant Engineer,
The Public Works Department,
Irrigation Section No:II,
Periyar Vaigai Basin Sub Division No.1,
P.W.D.Office, Tallakulam,
Madurai – 625 002.

- 7.The Deputy Director,
Town and Country Planning Department,
No.4, Hakkim Ajmalkhan Road,
Chinna Chokkikulam, Madurai – 625 002.



WEB COPY



W.P.(MD) Nos.15563 to 15587 of 2021

R.MAHADEVAN, J.

AND

J.SATHYA NARAYANA PRASAD, J.

Myr

W.P.(MD)Nos.15563 to 15587 of 2021

19.10.2022

Page 8 of 8