



WEB COPY



W.P. No.2774 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.12.2023

CORAM:

THE HONOURABLE MR. JUSTICE S. VAIDYANATHAN
and
THE HONOURABLE MR. JUSTICE K.RAJASEKAR

W.P. No.2774 of 2020 and W.M.P. Nos.3226 and 3760 of 2020

M. Balu

Petitioner

v

- 1 The State of Tamil Nadu
represented by its Secretary
Tamil Nadu Housing Development Department
Fort St. George
Chennai 600 009
- 2 The Commissioner
Corporation of Chennai
Greater Chennai
Ripon Building
Chennai 600 003
- 3 The Secretary
Public Works Department
Ezhilagam
Chennai 600 005
- 4 The Tahsildar
No.2, Tahsildar Office
Periamedu
Chennai 600 003

Respondents

Writ Petition preferred under Article 226 of the Constitution of India

seeking a writ of mandamus directing the respondents to consider the
petitioner's representation dated 29.01.2020 in accordance with law by



W.P. No.2774 of 2020

permitting the petitioner to live in his house at No.368, “D” Block First Street, Gandhi Nagar, Anna Salai, Chennai 600 002.

For petitioner	Mr. R. Sankarasubbu Did not appear
For R2	Mr. A. Arun Babu
For RR 1, 3 & 4	Mr. A. Selvendran Special Government Pleader

ORDER

(made by S. VAIDYANATHAN, J.)

According to the petitioner, he is an auto-rickshaw driver by avocation; he has been dwelling in a hut at No.368, “D” Block, First Street, Gandhi Nagar, Anna Salai, Chennai 600 002 for over 45 years; he drives auto-rickshaw around Egmore Railway Station and Central Railway Station; the respondents propose to evict him from his house and provide him alternative accommodation in Perumbakkam; if he is evicted and provided alternative accommodation in Perumbakkam, it will be difficult for him carry on with his avocation; hence, seeking alternative accommodation in the very same locality where he resides, he addressed a representation dated 29.01.2020 to the second respondent; since his representation did not evoke any response, he has filed this writ petition seeking a direction to the respondents to permit him to continue to live in his house by considering his representation dated



W.P. No.2774 of 2020

WEB COPY 2

The first respondent has filed a counter affidavit dated 22.10.2020, wherein, it has been stated *inter alia* that the petitioner had encroached upon the banks of Cooum River; as part of encroachment clearing drive, Tamil Nadu Slum Clearance Board had issued allotment order dated 06.12.2019 to the petitioner providing him alternative accommodation in Perumbakkam, in which, the petitioner's name finds place in serial no.772; however, the petitioner had not come forward to receive the allotment order.

3 Even going by the averments in the petitioner's affidavit dated 03.02.2020, one of the grounds urged was that his daughter was pursuing B.A. II year and her studies should not be affected midway. Be it noted, three years have gone by since then. Superadded, the petitioner has been provided alternative accommodation at Perumbakkam. Thus, much water has flown under the bridge.

In view of the above factual matrix, no further are required to be passed in this writ petition and accordingly, this writ petition stands closed, sans costs. Connected W.M.Ps. are closed.

(S.V.N., J.) (K.R.S., J.)
14.12.2023



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W.P. No.2774 of 2020

S. VAIDYANATHAN, J.

and

K. RAJASEKAR, J.

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To

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Government of Tamil Nadu
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