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W.P.Nos.2924, 2926, 2928, 2931, 2932 and 2933 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2023

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.2924, 2926, 2928, 2931, 2932 and 2933 of 2020

And

**W.M.P.Nos.3373, 3375, 3382, 3387, 3389 & 3394 of 2020
and 9604, 9606, 9607, 9608, 9609 & 9610 of 2021**

P.Mohan

... Petitioner in W.P.2924/2020

Vs.

1.The Government of Tamil Nadu,
Rep. by the Secretary,
Tamil Nadu Slum Clearance Board,
5, Kamarajar Street,
Chennai – 600 005.

2.The Asst. Executive Engineer,
Administrative Officer,
Division.IV,
Tamil Nadu Slum Clearance Board,
Chennai – 600 010.

3.The Commissioner,
Ambattur Municipality,
Ambattur,
Chennai – 600 053.

4.The Commissioner,
Greater Chennai Corporation,
Rippon Buildings,
Periamet,
Chennai – 600 003.

... Respondents in W.P.2924/2020



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Prayer in W.P.Nos.2924 of 2020:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1, 2 and 4 to allot the house site situated at No.19B, Bharathidasan Nagar, Athipattu West, Ambattur, Chennai – 600 058 to the extent of 900 sq.ft. in Survey No.524, Athipattu West, Ambattur Taluk, Thiruvallur District to the petitioner.

For Petitioners : Mr.V.Chandrakanthan
For Respondents : Mr.S.Karthikeyan
Standing Counsel for TNSCB
Mr.Rahul for R4

COMMON ORDER

The petitioners have filed these writ petitions seeking issuance of Writ of Mandamus directing the respondents 1, 2 and 4 to allot the house site situated at No.19B, 26, 20/21, 19, 18 and 28 respectively, Bharathidasan Nagar, Athipattu West, Ambattur, Chennai – 600 058 to the extent of 900 sq.ft. in Survey No.524, Athipattu, Ambattur Taluk, Thiruvallur District, to the petitioners.

2.The case of the petitioners is that the petitioners occupied the respective subject property for more than three decades and on



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20.03.1987, the Executive Engineer, Tamil Nadu Slum Clearance Board, granted subsidy to the petitioners to convert their house to pucca building. Thereafter, the petitioners constructed pucca house in their property and are in possession and enjoyment of the property, however, the allotment order was not granted in favour of the petitioners. In this regard, the petitioners made representation to the Tamil Nadu Slum Clearance Board and since the same has not yet been considered, have filed these writ petitions.

3.The learned counsel appearing for the petitioners submitted that the respondents have taken steps to allot plots to 146 persons who are in occupation of house sites situated in Athipattu and on 29.06.2010, the Estate Officer of Tamil Nadu Slum Clearance Board had informed that CMDA has granted permission to allot house site to 110 occupants and for the remaining occupants, allotment is under consideration by Tamil Nadu Slum Clearance Board. Hence, this Court may issue appropriate orders to the Tamil Nadu Slum Clearance Board to pass appropriate orders.

4.The learned counsel appearing for the Tamil Nadu Slum Clearance Board submitted that the Estate Officer is not arrayed as



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party in these writ petitions, however, the Secretary is arrayed as party and further submitted that appropriate proposal will be forwarded by the second respondent to the first respondent.

5.In view of the above, the second respondent is directed to forward appropriate proposal to the first respondent, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the first respondent is directed to pass appropriate orders, within a period of eight weeks thereafter.

6.These writ petitions are accordingly disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

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Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No



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M.DHANDAPANI,J.
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