



WEB COPY



W.P.No.6313 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 13.04.2023**

CORAM :

THE HONOURABLE MR. JUSTICE **M. DHANDAPANI**

**W.P.No.6313 of 2023**

**and**

**W.M.P.No.10193 of 2023**

R.Manjula

... Petitioner

Vs.

1.The Executive Officer-II, Tamil Nadu  
Slum Clearance Board/TNSCB,  
Vyasarpadi,  
Chennai – 600 039.

2.M.Sundari

... Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1<sup>st</sup> respondent to dispose of the petitioner's representation dated 09.11.2022 in a time-bound manner.

For Petitioner : M/s.V.S.Usharani

For Respondents : M/s.G.Sivakumar [R1]  
[R2] – No appearance

\*\*\*\*\*



W.P.No.6313 of 2023

## **ORDER**

WEB COPY

The Writ Petition is filed seeking for a Writ of Mandamus, to direct the first respondent to dispose of the petitioner's representation dated 09.11.2022 in a time-bound manner.

2. Though the petitioner filed W.M.P.No.10193 of 2023 seeking to fix an early date for hearing of the present writ petition, she is consented for the disposal of the main writ petition itself.

3. The case of the petitioner is that the property was originally allotted to one Thangavelu Achari by the Tamil Nadu Slum Clearance Board, which upon the death of the Thangavelu Achari devolved upon his wife Rukumani and on her death, it devolved on the petitioner by virtue of a partition decree passed in O.S.No.8962 of 2006. It is the further case of the petitioner that in the preliminary decree dated 13.12.2017, there is a specific direction that since the property originally belonged to Tamil Slum Clearance Board, which had recognized the right of Thangavelu Achari by issuance of allotment order and it is an admitted fact that the first respondent had not executed any sale deed in favour of the Thangavelu



W.P.No.6313 of 2023

WEB COPY

Achari and therefore, the entitlement of the petitioner to 1/6<sup>th</sup> share in the said property cannot be denied and the petitioner was directed to approach the concerned authority under Section 29 of Tamil Nadu Slum Area (improvement and clearance Act), 1977. Therefore, the petitioner given a representation dated 09.11.2022 to the first respondent seeking permission as stipulated in the preliminary decree dated 13.12.2017. Though the said representation was acknowledged by the first respondent, till date no order has been passed. Hence, the petitioner has filed the above writ petition before this Court.

4. Though very many grounds have been raised in the present writ petition, the learned counsel for the petitioner submits that, it would suffice, if this Court issues a direction to the first respondent to consider and dispose of the petitioner's representation dated 09.11.2022, within a time frame that may be fixed by this Court.

5. The learned counsel appearing for the first respondent has no objection for the said order being passed.



WEB COPY



W.P.No.6313 of 2023

**M.DHANDAPANI, J.**

sp

6. In view of the aforesaid submissions, this Court, without going into the merits of the case, directs the first respondent to consider and dispose of the petitioner's representation dated 09.11.2022, on merits and in accordance, if there is no legal impediment, within a period of four (4) weeks from the date of receipt of a copy of this order.

7. With the above direction, the Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

**13.04.2023**

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation Case : Yes / No

sp

To

The Executive Officer-II, Tamil Nadu Slum Clearance Board/TNSCB,  
Vyasarpadi,  
Chennai – 600 039.

**W.P.No.6313 of 2023**