



WEB COPY



W.P.No.29718 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.29718 of 2022

1.R.Elumalai
2.E.Pallaiammal
3.P.Premalatha

... Petitioners

Vs.

1.The Principal Secretary,
Tamil Nadu Urban Habitat Development Board,
Government of Tamil Nadu,
Fort St.George,
Chennai – 600 009.

2.The Managing Director,
Tamil Nadu Urban Habitat Development Board,
No.5, Kamarajar Salai,
Chennai – 600 005.

3.The Commissioner,
Greater Chennai Corporation,
Ripon Building,
Chennai – 600 003.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents particularly the respondents 2 and 3 to consider the petitioners' representations



W.P.No.29718 of 2022

dated 13.06.2022, for allotment of alternative houses under the scheme of Urban Habitat Development as provided to other 178 families.

For Petitioners : Mr.R.Thanjan
For Respondents : Mr.E.Veda Bagath Singh for R1
Special Government Pleader
No Appearance for R2 and R3

O R D E R

The petitioners have filed this writ petition seeking issuance of Writ of Mandamus directing the respondents particularly the respondents 2 and 3 to consider the petitioners' representations dated 13.06.2022, for allotment of alternative houses under the scheme of Urban Habitat Development as provided to other 178 families.

2.The case of the petitioners is that the petitioners along with other families resided at Gandhi Nagar, Pallavan Salai for several years and after proposal of giving accommodation under the Scheme provided by Chennai Rivers Restoration Trust Department, bio-metric identification of the families were taken and the petitioners were provided with bio-metric numbers. Thereafter, the respondents made



W.P.No.29718 of 2022

alternative accommodation to nearly 178 families, leaving behind nearly 10 families including the petitioners.

3.The further case of the petitioners is that thereafter the petitioners approached the respondents seeking to provide alternative accommodation and also made representations in this regard to the respondents. Thereafter, Tamil Nadu Oppressed People Movement, Central Chennai sent legal notice to the third respondent, pursuant to which, the Superintending Engineer, Chennai Rivers Restoration Trust Department directed the Zonal Officer, Zone – 5, Chennai Corporation to provide alternative houses to the petitioners. Even thereafter, there is no response from the respondents. Hence, this writ petition.

4.The learned counsel appearing for the petitioners submitted that though Zonal Officer, Zone – 5, Chennai Corporation, has not been arrayed as a party in this writ petition, this Court may issue direction to the Zonal Officer, Zone – 5, Chennai Corporation, to pass appropriate orders based on the letter of the Superintending Engineer, Chennai Rivers Restoration Trust Department dated 01.08.2022, within a reasonable time frame.



W.P.No.29718 of 2022

5. In view of the above, this Court, without expressing any opinion on the merits of the case, directs the Zonal Officer, Zone – 5, Chennai Corporation, to pass appropriate orders based on the letter of the Superintending Engineer, Chennai Rivers Restoration Trust Department dated 01.08.2022, within a period of twelve weeks from the date of receipt of a copy of this order.

6. The writ petition is accordingly disposed of. No costs.

19.06.2023

pri

Speaking Order/ Non Speaking Order
Index: Yes/ No
Internet: Yes/ No

To

1. The Principal Secretary,
Tamil Nadu Urban Habitat Development Board,
Government of Tamil Nadu,
Fort St. George,
Chennai – 600 009.

2. The Managing Director,
Tamil Nadu Urban Habitat Development Board,
No.5, Kamarajar Salai,
Chennai – 600 005.

3. The Commissioner,
Greater Chennai Corporation,
Ripon Building,

4/5



Chennai – 600 003.

WEB COPY



W.P.No.29718 of 2022

M.DHANDAPANI,J.
pri

W.P.No.29718 of 2022



WEB COPY



W.P.No.29718 of 2022

19.06.2023