



WEB COPY

W.P.No.31524



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 02.11.2023

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THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**

W.P.No.31524 of 2023

Edwin Fernandas

... Petitioner

Vs

The Assistant Engineer,
Tamilnadu Slum Clearance Board,
Vyasarpadi,
Chennai – 39

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to consider the representation dated 16.10.2023 and to show the complete outstanding dues pertaining to the petitioner father allotment No.11615 to the house situated at Plot No.252, D.No.5, 12th Street, Vinayagapuram situated in Tondayarpuram, Chennai – 600 081.

For Petitioner : Ms.S.Saranya

For Respondent : Mr.G.Sivakumar
Standing Counsel

**ORDER**

Mr.G.Sivakumar, learned Standing Counsel accepts notice for the sole respondent Tamil Nadu Slum Clearance Board and is armed with instructions to enable final disposal of this Writ Petition, even at the stage of admission.

2. The prayer of the petitioner is for a mandamus directing the sole respondent to consider his representation dated 16.10.2023 and to convey to him the complete outstanding dues pertaining to allotment bearing No.11615 made to the petitioner's father in regard to the house situated at Plot No.252, D.No.5, 12th Street, Vinayagapuram situated in Tondayarpuram, Chennai – 600 081 ('allotment'/'allotment in question').

3. At the outset, the facts in question are unclear insofar as the allotment of the property had been made to one Selvaraj, who according to the petitioner, have two wives and 7 children from the two wedlocks. The petitioner is thus one among the 7 persons who claim under Selvaraj.

4. The prayer of the petitioner is itself only to reveal the outstanding dues pertaining to the allotment in question.

5. Learned counsel for the respondent, would, after pointing out the family circumstances of the petitioner as noticed in the preceding paragraphs submit that the petitioner must provide the details of all the legal heirs of Selvaraj.



6. It is the discretion of the respondent to seek such particulars in regard to the family circumstances/multiple legal heirs of the allottee as they deem fit and necessary.

7. Be that as it may, since the only detail sought for in this Writ Petition is the outstanding dues pertaining to the allotment in question, the respondent may consider informing the petitioner of the said information, of course ensuring that all safeguards must be put in place. It is made clear that there is no benefit in terms of right over the allotment or over the property that the petitioner can claim by virtue of this Writ Petition or this order.

8. Let the representation of the petitioner seeking the details of the outstanding dues in regard to the allotment in question be considered after hearing the petitioner and any other persons that the respondent may deem fit and necessary in the circumstances of the case, after issuing notice to them, in accordance with law and all applicable Rules and Regulations, within a period of eight (8) weeks from date of receipt of a copy of this order.

9. This Writ Petition stands disposed as above. No costs.

02.11.2023

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Index : Yes / No

Speaking Order: Yes/No

Neutral Citation: Yes/No



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DR.ANITA SUMANTH, J.

Sl

To

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Tamilnadu Slum Clearance Board,
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