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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 29.11.2023

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THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**

W.P.No.33484 of 2023

V.Chandra

... Petitioner

Vs

1.The Commissioner,
Department of Welfare Differentially abled,
Kamarajar Salai, Chennai – 600 005.

2.The Managing Director,
Tamilnadu Urban Habitat Development Board,
Kamarajar Salai, Chennai – 600 005.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 2nd respondents to allotment of house tenement in Valleeswaran Kovil Thottam Scheme Mylapore project carried by the 2nd respondent as per the G.O.24 dated 12.08.2022 in pursuant to the petitioner representation 10.11.2023.

For Petitioner : Mr.P.Muthamizh Selvakumar

For Respondent : Mr.M.Rajendran (R1)
Additional Government Pleader
Ms.Indhumathy Venkatesh (R2)
Standing Counsel



W.P.No.33484 of 2023

ORDER

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Mr.M.Rajendran, learned Additional Government Pleader accepts notice for the Commissioner, Department of Welfare Differentially abled/R1 and Ms.Indhumathy Venkatesh, learned Standing Counsel accepts notice for the Managing Director, Tamil Nadu Urban Habitat Development Board/R2. They are armed with instructions to enable final disposal of this Writ Petition, even at the stage of admission.

2. The petitioner seeks a mandamus directing the second respondent to allot a tenement in Valleeswaran Kovil Thottam Scheme, Mylapore project as per G.O.(Ms) No.24 dated 12.08.2022.

3. The petitioner claims to be differentially abled and has circulated a disability certificate to the effect that she is deaf (100%). The petitioner is seen to have made a representation before R2 on 10.11.2023 seeking the same relief as sought for in this Writ Petition.

4. Hence, it would be more appropriate that R2 considers the representation than this Court consider mandamus, seeing as all the facts necessary to decide the representation may be in the possession of the respondents only and also for the reason that any clarification that may be required may be sought and obtained by the respondents in the course of enquiry.



W.P.No.33484 of 2023

5. Since the receipt of the representation is admitted by the learned counsel appearing for R2, seeing as the respondent has also written to the petitioner stating that since there has been overwhelming demand for tenement, her representation is under consideration, mandamus is issued to R2 to hear the petitioner and pass orders on her representation dated 10.11.2023 in accordance with law and on merits within a period of six (6) weeks from date of receipt of a copy of this order. In doing so, let R2 bear in mind G.O.(Ms) No.24 dated 12.08.2022 to the extent to which the authority believes it to be applicable.

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

29.11.2023

Index : Yes / No

Speaking

Neutral citations: Yes

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To

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Department of Welfare Differentially abled,
Kamarajar Salai, Chennai – 600 005.

2. The Managing Director,
Tamilnadu Urban Habitat Development Board,
Kamarajar Salai, Chennai – 600 005.



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W.P.No.33484 of 2023

Dr.ANITA SUMANTH,J.
SI

W.P.No.33484 of 2023

29.11.2023