



W.P.(MD).Nos.22714 and 22716 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 26.09.2023

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).Nos.22714 and 22716 of 2021

W.P.(MD).No.22714 of 2021:

G.Rubavathi Rani

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Triplicane,
Chennai – 600 005.

2.The District Collector,
Madurai District,
Madurai.

3.The Executive Engineer,
Tamil Nadu Slum Clearance Board,
Madurai Division,
169, K.K.Nagar Main Road,
Madurai – 625 020.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to consider the petitioner's representation dated 10.11.2021, seeking allotment of free or monthly installment house which was constructed by the Tamil Nadu Slum Clearance Board at Periyar Nagar, Rajakoor Village, Madurai District.



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V.S.Brindha

... Petitioner

Vs.

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Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Triplicane,
Chennai – 600 005.

2.The District Collector,
Madurai District,
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(In both Writ Petitions):

For Petitioner : M/s.S.K.B.V.Srimathiat

For R-1 and R-3 : M/s.S.Latha

For R-2 : Mr.A.K.Manikkam,
Special Government Pleader.



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COMMON ORDER

The petitioners herein had submitted a representation to the respondents on 10.11.2021, seeking for allotment of free or monthly installment house which was constructed by the Tamil Nadu Slum Clearance Board at Periyar Nagar, Rajakoor Village, Madurai District. Since the said representation was not considered, the present writ petitions have been filed.

2. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

3. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioners representation dated 10.11.2021 on its own merits and pass appropriate orders in accordance with law, within a period of six (6) weeks from the date of receipt of a copy of this order. It is



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made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioners and that it is open to the concerned respondent to consider the same on its own merits.

4. In view of the above, the Writ Petitions are disposed of. There shall be no order as to costs.

26.09.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
Nsr

To

1.The Managing Director,
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Chennai – 600 005.

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S.SRIMATHY, J.

Nsr

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