



W.P.(MD).No.22652 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 26.09.2023

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.22652 of 2021

P.S.Rambhasskar

... 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



W.P.(MD).No.22652 of 2021

allotment of free or monthly installment house which was constructed by the Tamil Nadu Slum Clearance Board at Periyar Nagar, Rajakoor Village, Madurai District.

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.

ORDER

The petitioner 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 petition has 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



W.P.(MD).No.22652 of 2021

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

4. In view of the above, this Writ Petition is disposed of. There shall be no order as to costs.

26.09.2023

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



W.P.(MD).No.22652 of 2021

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W.P.(MD).No.22652 of 2021

S.SRIMATHY, J.

Nsr

W.P.(MD).No.22652 of 2021

26.09.2023