



WEB COPY

W.P.No.9447 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2024

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.9447 of 2019

D.Karpakam

... Petitioner

Vs.

1. The Tamil Nadu Slum Clearance Board,
Rep. by its Managing Director,
No.5, Kamarajar Salai,
Chepauk, Chennai - 600 005.

2. Vembu

3. Rani

4. Ramachandran

... Respondents

[R4 impleaded vide order dated 12.01.2024 made in W.M.P.No.32956 of 2023]

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to consider the petitioner's representation dated 21.03.2019.

For Petitioner	: Mr.J.Prakasam
For R1	: Mr.M.Babu Muthu Meeran, Standing Counsel
For R2	: Not ready in notice
For R3	: Mr.K.Pasupathy
For R4	: Mrs.V.Vinnolis

ORDER

The Writ of Mandamus has been filed to direct the 1st respondent to



consider the representation dated 21.03.2019 submitted by the petitioner.

2. The allegation of the petitioner is that she is the allottee of the Plot No.43, Periyar Nagar, Phase I, Tharamani, Chennai. The petitioner complied with the condition stipulated in the allotment order. While so, the respondents 2 and 3 are in illegal occupation of the plots, which were allotted in favour of the petitioner. Thus, the petitioner sent a representation, which was not considered and therefore, the present Writ Petition is filed.

3. The learned counsel for the 1st respondent Board would submit that the writ petitioner is the original allottee. She had sublet the property in favour of the respondents 2 and 3, without the knowledge of the Board. Subletting of the property is in violation of the allotment condition. The original allottee must be in a position of the property allotted and therefore, if any sub-letting is identified, actions are to be initiated in the manner known to law.

4. In view of the facts and circumstances, the 1st respondent is directed to conduct an inspection within a period of two weeks from the date of receipt of a copy of this order and if any violations, including subletting of the



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premises or otherwise are found, all suitable directions are directed to be taken in accordance with law within a period of eight weeks thereafter.

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5. With these directions, the Writ Petition stands allowed. No costs.

12.01.2024

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Index : Yes

Speaking order

To

The Managing Director,
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Chepauk, Chennai - 600 005.



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S.M.SUBRAMANIAM, J.

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