



W.P.No.11773 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-03-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

W.P.No. 11773 of 2024

1. Neela
2. Jayarani
3. Vedha Priya
4. Nagammal
5. K. Ananthayee
6. Kasturi

...Petitioners

Vs.

1. Corporation Of Chennai,
Rep.by its Deputy Commissioner, Ribbon
Buildings, Chennai.
2. Public Works Department,
Rep.by its Chief Engineer, PWD Department,
Chepauk, Chennai.
3. Managing Director,
Urban Habitat Development Board,
Kamarajar Salai, Chennai.

...Respondent(s)



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Prayer: Petition under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus to direct the 3rd respondent to allot a Tamil Nadu Slum Clearance Board tenement/flat situate at Perumbakkam to the petitioners.

For Petitioner(s): M/s.G.Selvi George

For Respondent(s): Mrs.S.Vanitha Joice Rani,
Standing Counsel for R-1

Mr.M.Rajendiran,
Additional Government Pleader for R-2

Ms.K.Indumathi Venkatesh,
Standing Counsel for R-3

ORDER

This Writ Petition has been filed seeking a direction to the third respondent to allot a Tamil Nadu Slum Clearance Board tenement/flat situated at Perumbakkam.



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2. Heard the learned counsel for the petitioners, the respective learned Standing Counsel appearing for respondents 1 and 3 and the learned Additional Government Pleader appearing for the second respondent.

3. The brief facts of the case are as follows:

(i) Earlier, the petitioners were the residents of Rajiv Gandhi Nagar, Choolaimedu, Chennai-94. They put up small thatched huts, in the places, in which, they were residing. But, the Government of Tamil Nadu took a decision to evict encroachments near Coovam river area and framed various schemes including Rajiv Gandhi Nagar Scheme and East Namasivayapuram Scheme. Pursuant to that, the huts constructed by the petitioners were demolished and the Government of Tamil Nadu took possession of the particular area and they were all evicted from the said place on the promise that the petitioners would be given alternate accommodation at Perumbakkam. But, as promised, they were not given any such accommodation at Perumbakkam.



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(ii) Presently, the petitioners are residing in rental houses. The petitioners are in possession of sufficient documents in order to prove that they were the residents of Rajiv Gandhi Nagar. The petitioners came to know that the third respondent constructed residential apartments at Perumbakkam and that based on their possession in Rajiv Gandhi Nagar, the petitioners would be allotted a flat in Perumbakkam. The petitioners also came to know that similarly placed persons like the petitioners were allotted tenements in Perumbakkam and that such allotments were made for extraneous consideration.

(iii) Though the petitioners approached the respondents by way of written representations, it did not evoke any response. The petitioners relied an order dated 22.1.2024 passed in W.P.No.33117 of 2018 etc. cases filed by the similarly placed persons. Hence the writ petition.

4. In the said order dated 22.1.2024 passed in W.P.No.33117 of 2018, the relevant portions read thus:



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“7. Considering the arguments, the order dated 21.09.2017 issued by the Tamil Nadu Slum Clearance Board would reveal that flats were allotted to the persons encroached upon the lands at Rajiv Gandhi Nagar, Choolaimedu. Therefore, they have been categorized as encraochers i.e. encroachers in Cooum river belt area and the encroachers in Rajiv Gandhi Nagar other than Cooum Belt Area. However, the encroachments were continuous and the locality is one and the same. That being so, the encroachers who were evicted admittedly from Rajiv Gandhi Nagar cannot be discriminated. When the petitioners were also encroachers admittedly and they were evicted, the benefit extended to other encroachers must be extended to the petitioners on production of all relevant documents and by verifying the personal details including possession of assets, income, etc. as per the Rules applicable for allotment of tenements by the Tamil Nadu Slum Clearance Board.

8. It is brought to the notice of this court that some of the erstwhile encroachers are not allotted alternate tenements and they have filed the writ petitions. The list of those persons are to be prepared, their eligibility is to be ascertained with reference to documents and by conducting enquiry if required and thereafter, the tenements/flats are to be allotted in the available project by receiving the beneficiary amount. The petitioners are liable to pay beneficiary charges as demanded by the Slum Clearance Board and as per the conditions stipulated.

9. Subject to eligibility and payment of beneficiary charges, the respondents are directed to allot tenements/flats to all the writ petitioners in any available project in



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Perumbakkam or in any other project, within a period of three months from the date of receipt of a copy of this order.”

5. In view of the above, the 1st respondent is directed to verify to whether the petitioners are the residents of Rajiv Gandhi Nagar, peruse the records produced by them and upon satisfaction, allot the tenement in favour of the petitioners at Perumbakkam either on beneficiary cost basis or under the Coovum River restoration plan. The said exercise shall be completed within a period of six (6) weeks from the date of receipt of a copy of this order.

6. Accordingly, the Writ Petition stands disposed of. No costs.

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

NHS



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To

1. Corporation Of Chennai Rep By Its,
Deputy Commissioner, Ribbon Buildings,
Chennai.
2. Public Works Department Rep By Its,
Chief Engineer, Pwd Department, Chepauk,
Chennai.
3. Managing Director,
Urban Habitate Development Board,
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M.DHANDAPANI, J.

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