

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.11.2016

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P.No.34835 of 2016 and
WMP No. 29989 of 2016

North Madras People Welfare Association
rep. By its Joint Secretary Vinoth Pandian
s/o M.Kamaraj
No.779, East Kallaraisalai,
"J" Block, Old Washermenpet,
Chennai - 21 ... Petitioner

Vs.

- 1.The District Collector,
Collector Office, Chennai
2. Chairman and Managing Director,
Tamilnadu Slum Clearance Board,
Chennai - 5
3. The Sub-Collector,
Revenue Divisional Office,
Tondiarpet, Chennai - 21
4. Vedhakan
President,
Ezhil Nagar Welfare Association,
No.2/202, Manali Road,
"A" Block, Ezhil Nagar,
Chennai - 118. .. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 1 and 2 to consider the petitioner's representations dated 05.02.2015 and 11.08.2016 consequently direct the respondents 1 & 2 to allot the house plots with respect to land in R.S.Nos.3850 and 3860, Tondiarpet Village and Taluk, as per the list submitted by the 4th respondent before the Registrar of Societies during 2014.

For Petitioner : Mr.N.Subramani

For Respondents : Mr.A.N.Thambidurai
Special Government Pleader

ORDER

Heard the learned counsel for the petitioner ; Mr.A.N.Thambidurai, learned Special Government Pleader, who accepts notice on behalf of the respondents and with the consent on either side, the writ petition is taken up for final disposal.

2. According to the petitioner, the 1st respondent allotted the lands by way of a proceedings dated .07.2016 to Slum Clearance Board in turn to allot the houses to the Members of the Ezhil Nagar Welfare Association. However, Vedhakan/ 4th respondent by using his money and political power is trying to swindle the said lands, which are meant for the uplift of the poor people.

3. The learned counsel for the petitioner states that the criminal cases are pending as against the said Vedhakan / 4th respondent. He would further submit that the 4th respondent is trying to change the Ezhil Nagar Welfare Association membership list.

4. Heard the learned counsel on either side and perused the materials available on record.

5. Time and again, this Court, by following the decisions of the Division Bench of this Court reported in [2005] Writ Law Reporter 321 [Formation of Indian Network Marketing Association rep.by its President M/s.Apple FMCG Marketing Private Ltd., rep. by its Chief Executive Officer and others] and [2005] Writ Law Reporter 389 [Tamilaga Asiriyar Kootani rep.by its General Secretary V.Annamalai Vs. The Government of Tamil Nadu rep.by its Secretary to Government, School Education Department, Chennai-9 and others], had categorically held that an Association cannot file/represent a case in which they are not directly involved and that, only the affected members of such Association can file a writ petition. In the instant case, the petitioner/Association represents 58 persons and if at all the said persons are aggrieved, there is no embargo on them to represent their grievance individually.

6. In such view of the matter, the writ petition is dismissed as not maintainable. However, liberty is granted to the individual persons to move this Court, if they are otherwise aggrieved. No costs. Consequently connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

ssd

To

1.The District Collector,
Collector Office, Chennai

2. Chairman and Managing Director,
Tamilnadu Slum Clearance Board,
Chennai -5

3. The Sub-Collector,
Revenue Divisional Office,
Tondiarpet, Chennai - 21

+ 1 cc to Mr.Government Pleader Sr.62135

W.P.No.34835 of 2016 and
WMP No. 29989 of 2016

SS(CO)

EU 02.11.16

सत्यमेव जयते

WEB COPY