



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.10.2021

CORAM

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P. No. 11003 of 2021

and

WMP. Nos. 11662, 11655, 11658, 11660,
15104, 11656, 11657 and 11651 of 2021

P. Kailasam, President
Indian National Azad Hind Fouj
(IIL-INA-RJ) Association,
No.13, III Street, Annai Sivagaminagar,
Ennore, Chennai - 57

.. Petitioner

Versus

- 1.The Chairman
The Housing Board
Nandanam
Chennai-35.
- 2.The Secretary,
Housing and Urban Development
Department,
State of Tamilnadu, Fort St. George
Secretariat, Chennai-9.
3. The Member Secretary,
Chennai Metropolitan Development
Authority, No.1, Gandhi Irwin Road,
Egmore, Chennai-8.
4. Director of Town and Country Planning,
No.807, Anna Salai 600 002.
5. The Commissioner
Greater Chennai corporation, Chennai-3.
6. Special Secretary to Government
(Expenditure), Finance Department,
Fort St. George, Secretariat,
Chennai - 9.



7. The Managing Director,
The Tamil Nadu Slum Clearance Board,
No.5, Kamaraj Salai, Chennai 600 005.

.. Respondents

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Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the order dated 2.3.2020 in NA.No.E1/5507/2018 and quash the same and direct the respondents to provide the Housing Scheme to the Freedom Fighters as mentioned in the representation dated 5.1.2021.

For Petitioner : Mr.V.Nandagopalan

For Respondents : Mr. R.Bharathkumar for R1 & R2

Ms. P.T. Ramadevi
Standing Counsel for R5

Mr. G. Krishnaraja
Government Counsel for R6

Mr.S.Prabhu for R7

ORDER

The petitioner claiming himself as President of Indian National Azad Hind Fouj Association, has preferred this writ petition praying to issue a Writ of Certiorarified Mandamus to quash the order dated 02.03.2020 passed by the seventh respondent herein and issue a consequential direction to the respondents to bring the members of the petitioner's Association, who are freedom Fighters, within the purview of Housing Scheme as sought for in the representation dated 05.01.2021.

2. The petitioner would state that the members of his Association are freedom fighters, who sacrificed every thing for the cause of the nation and were largely instrumental in reliving the Country from the clutches of the British Force. Some of the members have received Government Awards such as Tamarai Pattayam for the selfless service rendered by them to the nation.

3. It is further stated by the petitioner that one of the members of the petitioner's Association filed W.P.No.121 of 2017 to dispose of his representation seeking to allot a house



site or tenement under the Freedom Fighters Scheme by the Slum Clearance Board and the said writ petition was disposed of by this court, with a direction to the Slum Clearance Board to dispose of such representation within a period of six weeks from the date of receipt of a copy of the order. Pursuant to the same, the Slum Clearance Board has passed an order dated 02.03.2020 denying the benefit of housing scheme to the freedom fighters. Thereafter, the petitioner on behalf of the members of his Association, made a representation dated 05.01.2021 to the respondents requesting that their members be recognised and brought within the purview of the housing scheme implemented by the respondents, but till date, no action was taken on the same. Therefore, the petitioner is before this court with the present writ petition for the aforesaid relief.

4. However, when the writ petition was taken up for consideration, the learned counsel for the petitioner restricted the relief sought herein to the extent of seeking a direction to the respondent authorities to dispose of his representation dated 05.01.2021, for which, the learned counsel appearing for the respondents 1 and 2 has no serious objection.

5. In view of the above, this Court directs the respondents 1 and 2 to consider the petitioner's representation dated 05.01.2021 and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of hearing to the petitioner as well as any other interested parties, within a period of six weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-IV)

// True Copy //

Sub Assistant Registrar

msr/rsh

To

1.The Chairman,
The Housing Board, Nandanam,
Chennai-35.



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2. The Secretary,
Housing and Urban Development
Department,
State of Tamilnadu, Fort St. George,
Secretariat, Chennai-9.
3. The Member Secretary,
Chennai Metropolitan Development
Authority, No.1, Gandhi Irwin Road,
Egmore, Chennai-8.
4. Director of Town and Country Planning,
No.807, Anna Salai 600 002.
5. The Commissioner,
Greater Chennai corporation, Chennai-3.
6. Special Secretary to Government
(Expenditure), Finance Department,
Fort St. George, Secretariat,
Chennai - 9.
7. The Managing Director,
The Tamil Nadu Slum Clearance Board,
No.5, Kamaraj Salai, Chennai 600 006.

+1cc to Mr.S.Prabhu, Advocate SR.No.55311
+1cc to M/s.P.T.Ramadevi, Advocate SR.No.54888
+1cc to M/s.R.Bharath Kumar, Advocate, SR.No.54858
+1cc to the Government Pleader, SR.No.55858

WP No. 11003 of 2021

PMK (CO)
CB (29/11/2021)