



W.P.No.26335 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.26335 of 2022

1. V.Thangam
2. M.Kandasamy
3. M.Selvaraj
4. Padmavathi
5. Kesavan
6. Lakshmi
7. A.Senthilvelu
8. R.Suresh Babu
9. P.Velusamy
- 10.Sathiyabama
- 11.K.Sundaram
- 12.P.Saraswathy
- 13.S.Thangaraj
- 14.Kaliyappan
- 15.R.Babu
- 16.K.Palanisamy
- 17.Saraswathi
- 18.M.Manonmani
- 19.C.Karunakaran
- 20.S.Vijayalakshmi
- 21.M.Nataraj
- 22.Jothibas
- 23.D.Kaliammal
- 24.N.Subbiah
- 25.R.Thulasiammal
- 26.Masilamani

... Petitioners

-Vs-



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- 1 The State of Tamil Nadu
rep. by its Secretary to Government Revenue
Department Fort St. George Chennai-600 009.
- 2 Tamil Nadu Urban Habitat Development Board
Principal Secretary to Government /
Chairman (TNUHDB) No.5
Kamarajar Salai Chepauk Chennai-05.
- 3 The District Collector
Collectorate Coimbatore.
- 4 Revenue Divisional Officer
Coimbatore.
- 5 Tahsildar
Annur Taluk Office Sathy Main Road Annur
Coimbatore-641 653.
- 6 Tamil nadu Urban Habitat Development Board
Superintending Engineer
(TNUHDB) Coimbatore Circle 397A North
Housing Unit Selvapuram Perur (North) opp.
Shivalaya Mahal Coimbatore – 641 026.

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 6th respondent herein to consider the representation dated 27.08.2018 made by the petitioners.

For Petitioner : Mr.RMD.Nazurullah

For Respondents : Mr.V.Naveen Kumar
Government Advocate – for RR 1,3,4 & 5

Mr.M.Babu Muthu Meeran
Standing Counsel for RR 2 and 6



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ORDER

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The prayer sought for herein is for a Writ of Mandamus directing the 6th respondent herein to consider the representation dated 27.08.2018 made by the petitioners.

2. The petitioners claimed to have purchased housing plots along with others at S.Nos.482/1, 482/1A, 2A and 2B situated at Keeranatham Village, Annur Taluk, Coimbatore District and those properties have been registered in the concerned Sub Registrar Office ie., Periyanaickenpalayam SRO between 1998 and 2008. However, subsequently the petitioners have received a shocking revelation that the land belongs to the Government, where the Tamilnadu Slum Clearance Board presently known as Tamil Nadu Urban Habitat Development Board has planned to construct mass housing / dwelling units and therefore, these petitioners and others who purchased the lands cannot make any construction.

2. Subsequently, the petitioners claim that the respondents assured to allot one flat for each of these persons who purchased the lands and in this regard some letter correspondences were received and the process went on in 2015, 2016 and 2017. However, so far no such allotment has been given to these petitioners and in this regard the petitioners on their behalf, through their



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association has given a representation to the respondents especially the District Collector / third respondent herein on 27.08.2018 and the said representation also since has not been considered, the petitioners have joined together to file the present writ petition with the aforesaid prayer.

3. Heard Mr.RMD.Nazurullah learned counsel for the petitioner, Mr.N.Naveen Kumar learned Government Advocate for respondents 1,3, 4 and 5 and Mr.M.Babu Muthu Meeran, learned Standing Counsel for respondents 2 & 6.

4. Learned Standing Counsel for the 6th respondent submits that the representation submitted by the petitioners or on their behalf, shall be considered only by the third respondent District Collector, who on examining the same has to send a report recommending or otherwise to the Tamil Nadu Urban Habitat Development Board, and based on which only the sixth respondent can act upon.

5. Heard learned Government Advocate appearing for the other official respondents, who would submit that the representation submitted on behalf of the petitioners dated 27.08.2018 would be considered by the third respondent and after examining their plea, a decision would be taken and forwarded to the sixth respondent for further action in this regard.



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6. Having regard to the submissions made by the learned counsel for both sides and having considered the said factual matrix, this Court is inclined to dispose of this writ petition with the following order.

- That there shall be a direction to the respondents especially the third respondent to consider the representation of the petitioners dated 27.08.2018 and after examining the same, send a report to the sixth respondent with regard to the plea of the petitioners and on receipt of the same, the sixth respondent shall act upon and pass orders accordingly as per the report of the third respondent / District Collector.
- The needful as indicated above shall be undertaken by the third respondent within a period of six weeks from the date of receipt of a copy of this order and thereafter, after receipt of the report the sixth respondent shall act upon and pass appropriate orders within a period of six weeks thereafter.

With the above directions, this writ petition is disposed of. No costs.

30.09.2022

1/2

Index : Yes/No
Internet : Yes/No
KST
To



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Revenue Department Fort St. George Chennai-600 009.
- 2 Tamil Nadu Urban Habitat Development Board
Principal Secretary to Government /
Chairman (TNUHDB) No.5
Kamarajar Salai Chepauk Chennai-05.
- 3 The District Collector ,Collectorate
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R. SURESH KUMAR, J.

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