



W.A.(MD)No.787 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.08.2022

CORAM

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**
and
THE HONOURABLE MRS.JUSTICE **S.SRIMATHY**

W.A(MD)No.787 of 2022

A.M.Ganesh

... Appellant

Vs.

1.The Managing Director,
Tamil Nadu Urban Habitat Development Board,
No.5, Kamarajar Salai, Triplicane, Chennai-600 005.

2.The District Collector,
Madurai District, Madurai.

3.The Executive Engineer,
Madurai Division,
169, K.K.Nagar Main Road,
Maudrai – 625 020.

... Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letter Patent to set aside the order of this Court in W.P.(MD)No.8792 of 2022, dated 15.06.2022.

For Appellant :Mr.Mr.R.Kannan

For R1 and R3 :Ms.S.Latha

For R2 :Mr.J.Ashok

Additional Government Pleader



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JUDGMENT

WEB COPY (Judgment of the Court was delivered by **S.S.SUNDAR, J.**)

This Writ Appeal is directed against the order of the learned Single Judge in W.P.(MD)No.8792 of 2022, dated 15.06.2022.

2.Heard Mr.R.Kannan, learned Counsel for the petitioner, Ms.S.Latha, learned Counsel, who takes notice for R1 and R3 and Mr.J.Ashok, learned Additional Government Pleader, who takes notice on behalf of R2. By consent of all parties, the above Writ Appeal is taken up for final disposal at admission stage itself.

3.It is stated that the appellant belongs to a family of weaver and is working for daily wages residing in a rented house and living under poverty. The Tamil Nadu Urban Habitat Development Board constructed houses for the poor people in Madurai. The appellant has also given a representation for allotment of a house. When the said representation was forwarded to the third respondent, the third respondent directed the appellant to appear before him along with documents to prove the appellant's eligibility. Challenging the said communication issued by the third respondent, dated 28.03.2022, the appellant filed a Writ Petition in W.P.(MD)No.8792 of 2022.



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4.Learned Single Judge of this Court dismissed the Writ Petition, as the appellant was just called upon to submit certain documents, so that the appellant's case can be considered. While dismissing the Writ Petition, the learned Single Judge recorded that the allotment process had already been completed on the basis of the statement of the learned Standing Counsel for the respondent Board. Aggrieved by the same, the present Writ Appeal is filed.

5.This Court is unable to find any merit in the Writ Appeal. However, the learned Counsel for the appellant produced before this Court the communication addressed to two other applicants indicating that the process of allotment is not yet completed.

6.It is in these circumstances, this Court direct the appellant to submit the documents, which were required from him by the third respondent by way of the impugned communication. If the documents are furnished by the appellant to prove his eligibility within a two weeks, the third respondent is directed to consider the application submitted by the appellant for allotment of a house.



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7. With the above directions, this Writ Appeal is disposed of. No costs.

[S.S.S.R., J.] [S.S.Y., J.]
02.08.2022

Index : Yes / No

cmr

To

The District Collector,
Madurai District, Madurai.



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and

S.SRIMATHY, J.

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