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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.02.2023

CORAM

THE HON'BLE Mr. JUSTICE C.V.KARTHIKEYAN

W.P.No.5915 of 2023

S.Indira

.. Petitioner

Vs.

1.The Chairman,
Tamil Nadu Urban Habitat Development Board,
No.5, Kamaraj Salai, Chepauk,
Chennai – 600 005.

2.The Administrative Engineer,
Zone/6,
Tamil Nadu Urban Habitat Development Board,
R.K.Mutta Road, Mylapore,
Chennai – 600 004.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st and 2nd respondents herein to initiate necessary action to cancel the allotment made in Plot No.10, Bharathi Nagar, (Chinnakara Kuttai), Madaivelipakkam, Chennai – 600 028 under slum improvement project scheme allotted to B.Malarkodi by letter of 1st respondent proceedings Se.Mu.Ka.No.E-6/16961/2008 dated 10.09.2009 and allot the same into the petitioner's name by considering the petitioner's name by considering the petitioner's representation dated 22.08.2022 within a stipulated time.



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For Petitioner .. Mr.D.Nandagopal

For Respondents .. Ms.K.Indumathy Venkatesh

ORDER

It is only advisable that the petitioner gets legal heirship certificate, recognising her as Class-II legal heir of deceased sister B.Malarkodi. The respondents may also examine the representation given by the petitioner herein, particularly, since the husband of the deceased sister has also died and the sister had no issues. It is stated that her parents also died.

2. These facts leaves the petitioner alone as a Class-II legalheir of her sister. It is also stated in the affidavit that her sister Malarkodi died due to Covid-19, and the petitioner alone was looking after and also performed the last rites and ceremonies.

3. The respondent may also examine the representation given, on the light of aforementioned statement. But, the petitioner must also take



necessary steps to get legal heirship certificate. The respondent may examine the representation and pass necessary orders, within a period six weeks from the date of receipt of a copy of this order.

4. With the above direction, the writ petition stands disposed of. No costs.

28.02.2023

Index: Yes/No
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To

1. The Chairman,
Tamil Nadu Urban Habitat Development Board,
No.5, Kamaraj Salai, Chepauk,
Chennai – 600 005.

2. The Administrative Engineer,
Zone/6,
Tamil Nadu Urban Habitat Development Board,
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C.V.KARTHIKEYAN,J.

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