



W.P.Nos.21511 & 24519 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 22.09.2023

CORAM : JUSTICE N.SESHASAYEE

W.P.Nos.21511 & 24519 of 2023
and WMP.20884 & 23937 of 2023

W.P.No. 21511 of 2023 :

- 1.Sumathi
- 2.Neela
- 3.Renukadevi
- 4.Balajee
- 5.Kaarthika
- 6.Vijaya
- 7.Singaravelan
- 8.Shanmugam
- 9.Shanthi
- 10.Rudramoorthy
- 11.Neelima
- 12.Rogini
- 13.Narmadha
- 14.Raagini
- 15.Balaguru

.... Petitioners

Vs

- 1.Union of India
Rep by its Secretary to Government
Ministry of Housing and Urban Poverty Alleviation
Nirman Bhavan, Moulana Azad Road
New Delhi - 110 011.



W.P.Nos.21511 & 24519 of 2023

2.The Government of Tamil Nadu
Department of Housing & Urban Development
Rep by its Principal Secretary
Fort St.George, Secretariat
Chennai - 600 009.

3.The District Collector
The District Collectorate
Chengalpattu District.

4.The Managing Director
Tamil Nadu Urban Habitat Development Board
Namakkal Kavingar Maligai
Fort St.George, Chennai - 600 009.

5.The Superintending Engineer
Kanchipuram Kottam
Tamil Nadu Urban Habitat Development Board
17-20, Aranganaathan Nagar
Ponnerikarai
Kanchipuram - 631 502.

..... Respondents

W.P.No. 24519 of 2023 :

- 1.M.Lakshmi
- 2.Vanitha
- 3.M.Shenbagam
- 4.S.Anandhi
- 5.G.Mohana Priya
- 6.M.Kalpana
- 7.M.Geetha
- 8.M.Manimegalai
- 9.K.Sathiya
- 10.S.Dellai Rani
- 11.R.Saritha
- 12.M.Chandra

.... Petitioners



W.P.Nos.21511 & 24519 of 2023

Vs

WEB COURT

1. Union of India

Rep by its Secretary to Government
Ministry of Housing and Urban Poverty Alleviation
Nirman Bhavan, Moulana Azad Road
New Delhi - 110 011.

2. The Government of Tamil Nadu

Department of Housing & Urban Development
Rep by its Principal Secretary
Fort St. George, Secretariat
Chennai - 600 009.

3. The District Collector

The District Collectorate
Chengalpattu District.

4. The Managing Director

Tamil Nadu Urban Habitat Development Board
No.5, Kamarajar Salai, Chepauk
Chennai - 600 005.

5. The Executive Engineer

Kanchipuram Kottam
Tamil Nadu Urban Habitat Development Board
17-20, Aranganaathan Nagar
Ponnerikarai
Kanchipuram - 631 502.

..... Respondents

Common Prayer : Writ Petitions filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to direct the respondents 3 to 5 to handover the possession of the tenements in Thailavaram-Phase II situated at Thailavaram, Chengalpattu & District, after receiving proper share from the petitioners herein in view of the scheme of Pradhan Mantri Awas Yojana



W.P.Nos.21511 & 24519 of 2023

- Affordable Housing in Partnership (PMAU-AHP) which was issued by the first respondent and the Government of Tamil Nadu's Policy Note for the year 2022-2023.

For Petitioners : Mr.P.Vijendran
(in both WPs)

For Respondents : Mr.G.Baskaran
(in both WPs) Central Govt Standing Counsel for R1

Mr.M.Bindran
Addl. Govt Pleader for R2 & R3

Ms.K.Indumathy Venkatesan for R4 & R5

COMMON ORDER

The petitioners herein were identified as eligible beneficiaries for providing houses under the Pradhan Mantri Awas Yojna Scheme (PMAYS) in Thailavaram Phase-II. Apprehending that they may not be allotted a house, they joined to file this writ petition, seeking a direction to respondents 3 to 5 to provide them with a house under the scheme.

2. The respondents 4 and 5 have filed their counter, wherein they state that in Thailavaram Phase-II, 480 tenements were constructed, of which 129 were allotted to the employees of Chennai River Restoration Trust. The learned



W.P.Nos.21511 & 24519 of 2023

counsel appearing for the respondents 4 and 5 would submit that even the balance tenements have since been allotted to EWS scheme (Economically Weaker Section) and that they were all occupied. She also added that there are two other projects at Murugamangalam Village and Keerapakkam Village which are now under way under Pradhan Mantri Awas Yojna Scheme, and the petitioners' case will be included in any one of them.

3. The learned counsel for the petitioners submitted that the applications of the petitioners may not be rejected, but may be retained for considering their cases for other projects at Murugamangalam Village and Keerapakkam Village. The petitioners may also be given liberty to file a fresh representation to indicate their choice of the two places.

4. The respondent concerned is now required to retain the petitions of all the petitioners for considering their cases for any one of the two projects at Murugamangalam Village and Keerapakkam Village, and try to accommodate their request in the project for which they may come out with their representations indicating their choice.



W.P.Nos.21511 & 24519 of 2023

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

22.09.2023

Index : Yes / No

Speaking order / Non-speaking orders

To:

1 The Secretary to Government

Union of India

Ministry of Housing and Urban Poverty Alleviation

Nirman Bhavan, Moulana Azad Road, New Delhi - 110 011.

2.The Principal Secretary

Government of Tamil Nadu

Department of Housing & Urban Development

Fort St.George, Secretariat, Chennai - 600 009.

3.The District Collector

The District Collectorate

Chengalpattu District.

4.The Managing Director

Tamil Nadu Urban Habitat Development Board

No.5, Kamarajar Salai, Chepauk

Chennai - 600 005.

5.The Executive Engineer

Kanchipuram Kottam

Tamil Nadu Urban Habitat Development Board

17-20, Aranganaathan Nagar

Ponnerikarai, Kanchipuram - 631 502.



WEB COPY



W.P.Nos.21511 & 24519 of 2023

N.SESHASAYEE.J.,

ds

W.P.Nos.21511 & 24519 of 2023

22.09.2023