



W.P(MD)No.22642 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.22642 of 2023 and
WMP(MD) No.18876 & 18877 of 2023

Ganesh. Am

... Petitioner

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,
Tamil Nadu Urban Habitat Development Board,
Madurai Division,
169, K.K.Nagar Main Road,
Madurai 625 020.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to allot one house in No.2 A-Block Tamil



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Nadu Urban Hospital Development Board constructing in Utchapatti Village, Thoppur, Madurai District as early as possible by considering the petitioner's representation dated 15.02.2023 and 26.04.2023.

For Petitioner	: Mr.T.R.Subramanian
For R1 & R3	: Mrs.S.Latha
	Standing Counsel
For R2	: Mr.G.V.Vairam Santhosh
	Additional Government Pleader

ORDER

The petitioner applied for an allotment of a house developed by the Tamil Nadu Urban Habitat Development Board and submitted an application on 27.12.2021. The Executive Engineer of the Board/the third respondent herein, by his communication, dated 28.03.2022, called upon the petitioner to submit certain documents to consider his application. Since the petitioner did not respond to the same, his application has not been considered by the Board. Aggrieved over the same, the petitioner has filed a writ petition in WP(MD) No.8792 of 2022 and the same was dismissed by this Court on 15.06.2022 as it was reported that the



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entire allotment process was already completed.

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2.Challenging the order passed by this Court in WP(MD) No.8792 of 2022, the petitioner has preferred writ appeal in WA(MD) No.787 of 2022, wherein, the petitioner has produced a communication addressed to two other applicants indicating that the process of allotment is not yet completed. Hence, the Honourable Division Bench of this Court has disposed of the above writ appeal directing the writ petitioner to submit the necessary documents and the third respondent was directed to consider the same. Alleging that the order of this Court in WA(MD) No.787 of 2022 has not been complied with by the third respondent, the petitioner has filed a contempt petition in ContP(MD) No.1403 of 2022, wherein, it was reported that out of 66 applicants, for 16 tenaments, a lot was drawn on 12.01.2023, where the petitioner was unsuccessful. It was also informed that there is another scheme in Utchapatti, in which, the petitioner can apply for allotment of a house and if he is eligible, the same shall be considered. Accordingly, the petitioner has made



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representations on 15.02.2023 and 26.06.2023 seeking for an allotment of a house at Utchapatti and filed this writ petition for a Mandamus, directing the second respondent to allot a house under Utchapatti Scheme.

3.Considering the limited relief sought for by the petitioner, this writ petition is disposed of with a direction to the respondents to consider the case of the petitioner in accordance with law and as per the guidelines, if any, in case, if there is any house available at Utchapatti Village, Thoppur. No costs. Consequently, connected Miscellaneous petitions are closed.

15.09.2023

NCC: Yes/No
Index: Yes/No
Internet: Yes
vrn



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B.PUGALENDHI, J.

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15.09.2023