



W.P.No.1141 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.06.2024

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.1141 of 2022

K.T.S.Ravikumar @ K.T.S.Ravi

... Petitioner

Vs

1. The Chairman,
Tamil Nadu Housing Board,
Anna Salai, Nandanam,
Chennai – 600 035.

2. Executive Engineer and Administrative Officer,
CIT Nagar, Re-Development Works Division,
Tamil Nadu Housing Board, Nandanam,
Chennai – 600 035.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records relating to the impugned order issued by the second respondent herein in Lr. No. CIT/03/2407/2009 dated 23.10.2021 quash the same.

For Petitioner : Mr. Venkataswamy Babu

For Respondents : Mr. D.Veerasekaran,
Standing Counsel



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ORDER

This Writ Petition has been filed challenging the order passed by the second respondent dated 23.10.2021, thereby, the request made by the petitioner seeking compensation for illegal demolition and taking over of possession of the petitioner's premises at Shop No.5, CIT Nagar, First Main Road, Nandanam, Chennai – 600 035, was rejected.

2. Already, the petitioner filed a Writ Petition in W.P. No. 22285 of 2021 seeking compensation of Rs. 50,00,000/- from the respondents herein for illegal demolition and taking over of possession of the very same subject property. This Court dismissed the said Writ Petition dated 08.02.2024 and the relevant portion of the order reads as follows:-

“7. The proceedings of the Executive Engineer cum Administrative Officer, Tamil Nadu Housing Board dated 15.11.2021 would reveal that possession of premises was taken with the assistance of police by following the



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procedures. The petitioner could not produce any documents to establish that he is the lawful tenant under the Tamil Nadu Housing Board and admittedly, the petitioner has paid the rent till May 2021. Admittedly, the Tamil Nadu Housing Board has taken possession. As per the statement of the petitioner, the shed constructed by his father was washed away during 2015 flood in Chennai. In the absence of any right, though the petitioner states that the documents were washed away during 2015 flood, only a shed was constructed in the premises and even presuming that the Shed was demolished by the Housing Board, it was done by following the procedures contemplated and with the assistance of the police.

8. Beyond the statement of the petitioner for non production of allotment order, due to 2015 flood in Chennai City, the fact remains that the Tamil Nadu Housing Board had taken possession of the property with the assistance of



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the police, since the petitioner was an unauthorised occupant. Admittedly, no allotment order was granted in favour of the writ petitioner. The petitioner was not a tenant. Therefore, the petitioner is not entitled to claim possession or to seek compensation. More-so, the father of the writ petitioner was a original allottee of the property and after his death, the allotment was granted in favour of his mother and thereafter, it was not extended and there is no landlord, tenant relationship exists between the petitioner and the Tamil Nadu Housing Board. Thus, the petitioner has not established any semblance of legal right to grant the relief as such sought for in the present writ petition.

9. Mr. D.Veerasekaran, learned Standing Counsel for the Tamil Nadu Housing Board would contend that the household articles kept in the premises were handed over to the petitioner and the petitioner acknowledged the receipt



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of the same.

10. That being so, no further consideration is required in respect of the grounds raised in the present writ petition.

11. Accordingly, the present writ petition stands dismissed. However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is also closed.”

3. Even thereafter, the petitioner made request to the second respondent seeking compensation by way of representation dated 09.08.2021.

4. In view of the order passed by this Court in W.P. No. 22285 of 2021 dated 08.02.2024, this Court finds no infirmity or illegality in the order passed by the respondents and the writ petition is devoid of merits.



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5. In the result, this Writ Petition is dismissed. No costs.

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Index:Yes/No

Neutral Citation/Yes/No

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G.K.ILANTHIRAIYAN, J.

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