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W.P.Nos.2930, 2931 & 2933 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.06.2024

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.Nos. 2930, 2931 & 2933 of 2023

N.Usha	.. Petitioner in WP 2930/23
V.Chitra	.. Petitioner in WP 2931/23
B.Ganesan	.. Petitioner in WP 2933/23

VS

- 1.The Chairman
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Chepauk, Chennai – 600 005.
- 2.The Executive Engineer, Division III,
Tamil Nadu Slum Clearance Board,
Thirumangalam, Chennai – 600 040.
- 3.The Assistant Engineer, Division III,
Tamil Nadu Slum Clearance Board,
Thirumangalam, Chennai – 600 040.
- 4.The Managing Director,
Tamil Nadu Urban Habitat Development Board,
No.5, Kamarajar Salai,
Chennai – 600 005.
(R4 suo motu impleaded vide
order dated 11.06.2024)

.. Respondents
in all writ petitions

Prayer in W.P.No.2930 of 2023: Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the 1st respondent to consider my representation dated 05.01.2023 to issue the allotment order in respect of house situated in Thirumangalam, Chennai Corporation Division No.99, G.O.No.1246, dated 19.09.1998 on receipt of the necessary fees, under the Tamil Nadu Slum Clearance Board Project.



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Prayer in W.P.No.2931 of 2023: Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the 1st respondent to consider my representation dated 09.01.2023 to issue the allotment order in respect of house situated in Thirumangalam, Chennai Corporation Division No.99, G.O.No.1246, dated 19.09.1998 on receipt of the necessary fees, under the Tamil Nadu Slum Clearance Board Project.

Prayer in W.P.No.2933 of 2023: Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the 1st respondent to consider my representation dated 09.01.2023 to issue the allotment order in respect of house situated in Thirumangalam, Chennai Corporation Division No.99, G.O.No.1246, dated 19.09.1998 on receipt of the necessary fees, under the Tamil Nadu Slum Clearance Board Project.

For Petitioner : Mr.T.Karikalan
(in all writ petitions)

For Respondents : Mr.B.Balaji
(in all writ petitions)

COMMON ORDER

The petitioners seek a mandamus directing the disposal of representations dated 05.01.2023 (in W.P.No.2930 of 2023) and 09.01.2023 (in W.P.Nos. 2931 & 2933 of 2023) for allotment of house in Thirumangalam Chennai Corporation Division No.99 based on various Government Orders.

2. Respondents have filed a counter. They state that there are a total of 840 tenements in the Thirumangalam project, of which, 627 tenements have been assigned to existing beneficiaries, 33 have been earmarked for persons in the EWS category and the balance 79 are to be assigned to Cooum River Eco Restoration Plan project. Hence, the petitioners are not entitled, according to them, to tenements in the Thirumangalam project.

3. However, Mr.B.Balaji, appearing for the respondents would



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assure the Court that the request of the petitioner would be considered qua other projects where there are vacancies. The petitioner has been proactive and has obtained under the RTI Act, the details of other projects, where there are vacancies. These are placed at page 5 of the additional typed-set dated 04.06.2024 and the petitioner specifically refers to the 44 vacancies in the Shenoy Nagar Project.

4. According to the respondents, in order to ascertain their eligibility, petitioners would have to produce various documents, some of which have been mentioned in the counter itself. Hence, and to facilitate this the petitioners may appear before the Managing Director, Tamil Nadu Urban Habitat Development Board, No.5, Kamarajar salai, Chennai, at 11.00 a.m., on Thursday i.e., 20.06.2024. Since, the aforesaid authority is not a party to the writ petitions, *the Managing Director, Tamil Nadu Urban Habitat Development Board, No.5, Kamarajar Salai, Chennai*, is suo motu impleaded as R4 and Mr.B.Balaji, learned counsel, accepts notice for R4 as well. The convenience of the parties for the hearing schedule on the aforesaid date has been ascertained.

5. The petitioners shall appear before R4, accompanied by documents mentioned in the counter as well as any other documents, which they seek to rely upon in support of their oral submissions. After hearing the petitioners and a consideration of prayer, let representation dated 05.01.2023 (in W.P.No.2930 of 2023) and 09.01.2023 (in W.P.Nos. 2931 & 2933 of 2023) be disposed considering their request for allotting houses in any one of the vacancies in the existing projects of the Tamil



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Nadu Urban Habitat Development Board, and in accordance with law.

6. Writ petitions stand disposed in terms of this order. No costs.

11.06.2024

Index:Yes/No

Neutral Citation:Yes

ssm

To

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Chepauk, Chennai – 600 005.
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DR. ANITA SUMANTH,J.

ssm

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