



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 22.10.2024

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

W.P.NOs.31454 & 31482 of 2024

and WMP.Nos.34160, 34162, 34207 & 34208 of 2024

1. Thenmozhi
2. Manimegalai
3. Selvaraj
4. Balaji
5. M.Chitra
6. R.Sumathi
7. Indira
8. L.Bhuvaneshwari
9. J.C.Uma Maheswari

... Petitioners in W.P.No.31454 of 2024

1. Rajasekaran
2. Thirupal
3. Sujakumari
4. B.Bhuvaneshwari
5. Arunachalam

... Petitioners in W.P.no.31482 of 2024
Vs.

1. The Secretary to Government,
Housing and Urban Development Department,
Secretariat, Chennai-9.

2. The Managing Director,
Tamil Nadu Urban Habitat Development Board,
No.5, Kamarajar Salai,
Triplicane, Chennai-5.

3. The Executive Engineer,
Division-7,
Tamil Nadu Urban Habitat Development Board,
Opp. To Alaiamman Temple, Chennai-18.

..... Respondents in both the petitions

Common Prayer: Writ Petition filed under Article 226 of the Constitution of



India to issue a Writ of Mandamus directing the respondents to consider the petitioners representation dated 03.06.2024 and thereby direct the respondents 1 to 3 to complete the construction and handover the LIG flats to the petitioner by implementing the order of this Court made in W.P.no.7889/2023 dated 18.04.2023.

For Petitioners : Mr.B.Sundarapandian

For Respondents : Mr.S.Kathikeyan, RR2 and 3
Mr.LSM. Hasan Fizal, AGP R1

ORDER

The writ petitioner seeks a direction to the respondents to consider the petitioners representation dated 03.06.2024 and thereby direct the respondents 1 to 3 to complete the construction and handover the LIG flats to the petitioners by implementing the order of this Court made in W.P.no.7889/2023 dated 18.04.2023.

2. It is the case of the petitioners that the petitioners have purchased the LIG Housing Flats at Kanagam, Taramani, Chennai from the second respondent during the year 1998 and they have paid entire sale consideration, for which, they have got sale deed in their favour. After passing time, due to dilapidated condition of the building, the second respondent come to conclusion that the subject buildings are not fit for residential occupation as it is in a dilapidated condition and requires demolition and reconstruction. In such circumstances, one of the association viz., Desapitha Mahatma Gandhi LIG Residential Welfare Association, Kanagam filed W.P.Nos.7889/2023, 25816/2022 and 12774 of 2021 before this Court directing the respondents to complete the construction and handover LIG flats to the petitioners therein. Vide order dated 18.04.2023, this Court allowed the writ petition No.7889 of



2023 and other writ petitions were dismissed. During pendency of the said writ petitions the third respondent issued a notice to vacate the premises within a period of one weeks in order to carry out the demolition and reconstruction. Therefore, the petitioners gave a representation on 03.06.2024 requesting to complete the construction and handover the LIG flats to the petitioners by implementing the order passed by this Court in W.P.no.7889/2023 dated 18.04.2023 and the same has not been considered. Hence, the present petitions.

3. The learned counsel for the petitioners submitted that this Court may issue a directions to the respondents to consider and pass orders on the petitioners representation within the stipulated time as fixed by this Court.

4. The learned Government Counsel appearing for the respondents submitted that the second respondent will be considered and an appropriate orders will be passed on the petitioners representation within the stipulated time as fixed by this Court.

5. Heard the learned counsel for the petitioners as well as the learned Government Counsel appearing for the respondents and perused the materials available on record.

6. Considering the facts and circumstances of the case and in view of the



limited request sought for by the petitioner, this Court directs the second respondent to consider the petitioners representation dated 03.06.2024 and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order.

7. With the above directions, the writ petitions stand disposed of. No costs.

Consequently, connected miscellaneous petitions are closed.

22.10.2024

To

1. The Secretary to Government,
Housing and Urban Development Department,
Secretariat, Chennai-9.
2. The Managing Director,
Tamil Nadu Urban Habitat Development Board,
No.5, Kamarajar Salai,
Triplicane, chennai-5.
3. The Executive Engineer,
Division-7,
Tamil Nadu Urban Habitat Development Board,
Opp. To Alaiamman Temple, Chennai-18.



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M. DHANDAPANI .J.

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