



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16-04-2024

CORAM

THE HONOURABLE MR.JUSTICE S.M. SUBRAMANIAM

WP No.22 of 2023

Premraj Kumar

.. Petitioner

-VS-

1.The Chairman,
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Chennai-600 005.

2.The Estate Officer,
Sony Nagar Scheme,
Tamil Nadu Slum Clearance Board,
Teynampet,
Chennai-600 018.

.. Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to consider the representation given by the petitioner and his family members dated 25.10.2022 and grant permission to the petitioner and his family members to institute a partition suit with respect to the petition



schedule mentioned property as against in the Competent Court.

For Petitioner : Mr.R.Balachanderan
For Respondents : Ms.K.Indumathy Venkatesh,
Standing Counsel for TNSCB.

ORDER

The relief sought for in the present writ petition is to direct the respondents to consider the representation submitted by the writ petitioner on 25.10.2022.

2. The relief, as such, sought for by the petitioner to grant permission to the family members to institute a partition suit in respect of tenement/plot allotted by the Tamil Nadu Slum Clearance Board, cannot be entertained.

3. The allotment of tenement or plot by the Tamil Nadu Urban Habitat Development Board is made in accordance with the provisions of the Act and the Rules and the Regulations governing such allotments. Therefore, the Board cannot grant any such permission for institution of a



suit for partition. The Board itself is empowered to regulate its own allotments in accordance with the Act and the Rules in force.

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4. That being the position, the petitioner is at liberty to submit application along with the Death Certificate and Legalheriship Certificate of the original allottee and in the event of receiving any such application, the Tamil Nadu Urban Habitat Development Board shall consider the same on merits and in accordance with law and by following the due procedures.

5. With the above liberty, the present writ petition stands disposed of. However, there shall be no order as to costs.

16-04-2024

Index : Yes/No
Internet: Yes/No
Speaking order/Non-Speaking order
Neutral Citation : Yes/No
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S.M.SUBRAMANIAM, J.

Svn

To

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