



WP(MD). No.24915 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 22/10/2024

CORAM

The Hon`ble Mr.Justice N.SATHISH KUMAR

**WP(MD). Nos.24915 and 24916 of 2024
and WMP(MD) Nos.21199, 21200, 21203, 21206, 21207,
21223,21224,21226 to 21228 of 2024**

S. Satya Priya

... Petitioner in
WP No.24915/2024

A.M.Ganesan

... Petitioner in
WP No.24916/2024

Vs

1. The Managing Director,
Tamilnadu Urban Habitat Development Board,
No. 5, Kamarajar Salai,
Triplicane,
Chennai - 600005..

2. The District Collector,
Madurai District,
Madurai..

3. The Executive Engineer,
Tamilnadu Urban Habitat Development Board,
Madurai Division,
169, K.K.Nagar Main Road,
Madurai – 625020..

... Respondents in both
WPs.



WP(MD). No.24915 of 2024

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COMMON PRAYER :- Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the 3rd respondent impugned order Na.Ka.Nos.A5/1517&1518/2024 dated 27.08.2024 quash the same and direct the respondents to allot one house in Aathikulam or Utchapatti in No. 3A-Block, 2A, Tamilnadu Urban Hospital Development Board constructing in Aathikulam or Utchapatti Village, Thoppur, Madurai District and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of this case and thus render justice.

For Petitioners : Mr.T.R.Subramanian,
For Respondent : Mr.D.Gandhiraj for R1 &R2
Special Government Pleader
Ms.S.Latha for R3

COMMON ORDER

By consent of both sides, the writ petitions themselves are taken up for final disposal at the stage of admission itself.

2. These writ petitions were filed challenging the impugned order of the 3rd respondent dated 27.08.2024, in and by which, the petitioners' were allotted one house in Uchapatti area in D and B blocks respectively. However, these petitioners seek to allot specific floors in Aathukilam or



WP(MD). No.24915 of 2024

Uchapatti area.

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3. It is the grievance of the petitioners that the petitioners were allotted houses under the Tamil Nadu Urban Habitat Development Board in the fourth and third floors respectively by the 3rd respondent. Since the petitioners' family members are aged and they are not in a position to go to third floor, the petitioners seek allotment in the ground floor, which is now available in A block and hence, they seek to cancel the allotment made by the third respondent with a direction to re-allot houses in A Block.

4. I have considered the rival submissions and perused the materials available on record.

5. At the outset, this Court is of the view that under the Government schemes, the petitioners were shown benevolence and allotted flats. Hence, as a matter of right, the petitioners cannot seek allotment of the particular house/portion. There is no legal right to direct the authorities to allot particular flat. Once the Government has extended



WP(MD). No.24915 of 2024

the scheme to the beneficiaries, the petitioners cannot seek allotment of a particular portion as a matter of right. If any such writ petitions are entertained, it will in fact defeat the very purpose and object of the scheme framed by the Government to provide houses to the poor.

6. In such view of the matter, there is no merit in the writ petitions. Accordingly, the writ petitions are dismissed. However, it is for the authorities to consider the representation of the petitioners, if they sought alternative allotment by way of separate/fresh representation. No costs. Consequently connected Miscellaneous Petitions are closed.

22.10.2024

RR

TO

1. The Managing Director,
Tamilnadu Urban Habitat Development Board,
No. 5, Kamarajar Salai, Triplicane, Chennai - 600005..

2. The District Collector,
Madurai District, Madurai..

3. The Executive Engineer,
Tamilnadu Urban Habitat Development Board,
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Madurai - 625020..

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WP(MD). No.24915 of 2024

N.SATHISH KUMAR,J

RR

**ORDER
IN**

WP(MD) Nos.24915 and 24916 of 2024

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