



W.P.No.5907 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2025

CORAM :

THE HONOURABLE MR. JUSTICE **M. DHANDAPANI**

W.P.No.5907 of 2019

M.Ganesh

... Petitioner

Vs.

1.Tamil Nadu Slum Clearance Board,
Rep. by Chairman cum Managing Director,
Kamarajar Salai, Chepauk,
Chennai – 600 005.

2.Muniammal

3.Sankaran

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to consider the representation dated 30.11.2018 of the petitioner for allotment of slum plot no.145 bearing old door no.15, new door no.23, Thangal Ulvoil St., Ward No.128, Zone No.10, Corporation of Chennai to the petitioner within a time frame to be fixed by this Court.

For Petitioner : Mr.N.Krishna Kumar

For Respondents : Mr.G.Venkatesan [R1]



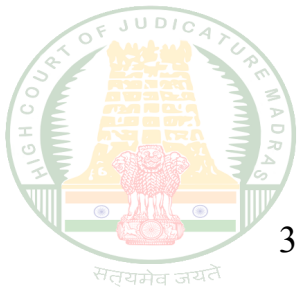
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ORDER

WEB COPY The petitioner seeks a direction upon the 1st respondent to re-allot the slum Plot No.145, Thangal Ulvoil Street, Chennai, in his name.

2.The short facts are as follows :-

The petitioner and the respondents 2 and 3 are claiming to be residing in a slum called Aranganathapuram. It is the case of the petitioner that initially his father was residing in slum Plot No.145 and the 2nd respondent was residing in slum Plot No.146. However, the authorities have erroneously allotted plot No.145 in the name of the 2nd respondent. According to the petitioner, the 2nd respondent was in possession of slum Plot No.146. Because of the erroneous allocation of the slum Plot No.145 in the name of the 2nd respondent, taking advantage of the same, it is the case of the petitioner that the 2nd respondent has sold the said plot No.145 to third parties. In this regard, the petitioner had filed a suit in O.S.No.7084 of 2012, which ended in dismissal on 09.03.2015. Thereafter, the petitioner has made the present representation to the 1st respondent to re-allot slum Plot No.145 in his name. Since the same was not considered by the 1st respondent, the petitioner has filed the present writ petition for appropriate orders.



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3. This Court has heard both sides and gone through the materials

WEB  available on record.

4. In the opinion of the Court, the petitioner and the respondents 2 and 3 are still encroachers. No shred of document has been produced by the petitioner to show that the Government has granted patta in his name. The petitioner has merely averred in the petition that the Government has allotted plot No.145 in his father's name. The Court cannot decide the ownership of a land merely based on the petitioner's averments.

5. It is brought to the notice of this Court that the 2nd respondent has filed a suit in O.S.No.1703 of 2019 seeking declaration, on the file of the learned 11th Assistant City Civil Court, Chennai and the same is pending.

6. When a suit is pending between the petitioner and the 2nd respondent, the issue between the parties cannot be considered by this Court. If at all the petitioner or the 2nd respondent succeeds in the suit, liberty is granted to the succeeding party to approach the 1st respondent for consequential orders.



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M.DHANDAPANI, J.

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7. The Writ Petition is dismissed with liberty to the petitioner to canvass all the points before the Civil Court, where the suit filed by the 2nd respondent is pending. No costs.

16.09.2025
(2/2)

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
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To

The Chairman cum Managing Director,
Tamil Nadu Slum Clearance Board,
Kamarajar Salai, Chepauk,
Chennai – 600 005.

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