



W.P.No.10317 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 26.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No.10317 of 2025

and

W.M.P.No.11628 of 2025

SELVI

... Petitioner

Vs

1. THE MANAGING DIRECTOR,
TAMIL NADU URBAN HABITAT DEVELOPMENT BOARD,
NO.5, KAMARAJAR SALAI,
CHENNAI - 600 005.
2. THE EXECUTIVE ENGINEER,
TAMILNADU URBAN HABITAT DEVELOPMENT BOARD,
DIVISION III,
CHENNAI.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 06.02.2025 on merit.

For Petitioner : Mr.R.Muthukumar

For R1 & R2 : Mr.S.Karthikeyan
Standing Counsel



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ORDER

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2. Upon hearing the learned counsel appearing for the petitioner and the learned Standing Counsel appearing on behalf of the respondents, in this case, it seems that with respect to the tenaments bearing flat No.13, 'A' Block, Jamalia Slum Clearance Board Quaters, Sembium, Chennai was originally allotted to one Perumal and thereafter, when the flat was in a dilapidated condition and steps were taken to evict the inhabitants and re-alloted the same after redevelopment. One *Thomas* claimed to be in occupation of the flat. He produced an affidavit from one *V.Ranjan Kumar* stating that *V.Ranjan Kumar* is the grandson of *Perumal* and that he had given the flat to *Thomas*. On that basis, the request of *Thomas* is being considered and temporary allotment was made.

3. It is at this stage that the petitioner claims to be the only daughter of *Perumal*, with no other legal heirs. The said *Perumal* died in the year 1987, and thereafter, the petitioner's mother, Mariammal, resided in the property



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until her death. Assuming that the flat was kept under lock and key and while living in her matrimonial home, the petitioner suddenly came to know that the re-allotment had not been made and therefore, she has made the representation dated 06.02.2025.

4. Further, the learned Standing Counsel appearing for the respondents would submit that the petitioner has not even provided any proof with reference to the death certificate and legal heirship certificate of the *Perumal*, to conduct an enquiry.

5. Under the above circumstances, this writ petition is disposed of on the following terms:-

(i) The second respondent - the Executive Engineer, shall take up the petitioner's representation dated 06.02.2025 for enquiry;

(ii) The petitioner shall produce proof, including the death certificate and legal heirship certificate of her father and mother, to claim any inheritance. She has to explain how possession of the property went to *Thomas*. The second respondent can issue a notice to



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said *Thomas* or any other person who is interested and after hearing both sides, a decision in accordance with the law can be arrived at;

(iii) After conducting the enquiry, the report shall be submitted to the first respondent, who will take a decision in accordance with the law;

(iv) The said exercise shall be completed within a period of twelve weeks from the date of receipt of the web copy of the order without waiting for the certified copy of the order. Consequently, connected miscellaneous petition is closed. No costs.

26.03.2025

Neutral Citation: Yes/No
nsl

To

1. THE MANAGING DIRECTOR,
TAMIL NADU URBAN HABITAT DEVELOPMENT BOARD,
NO.5, KAMARAJAR SALAI,
CHENNAI - 600 005.
2. THE EXECUTIVE ENGINEER,
TAMILNADU URBAN HABITAT DEVELOPMENT BOARD,
DIVISION III,
CHENNAI.



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D.BHARATHA CHAKRAVARTHY, J.

nsi

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