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W.P.No.8954 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.03.2025

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.8954 of 2025

T.Nirmala

.. **Petitioner**

Vs.

1.State of Tamil Nadu
Rep.by its Principal Secretary to Government
Tamil Nadu Urban Habitat Development
Secretariat, Chennai – 600 009.

2.The Managing Director
(Formerly Tamil Nadu Slum Clearance Board
Presently Tamil Nadu Urban Habitat Development Board (TNUHDB)
No.5, Kamarajar Salai, Triplicane
Chennai – 600 005.

3.The Executive Engineer
Division – 5
Tamil Nadu Urban Habitat Development Board (TNUHDB)
Mylapore, Chennai – 600 004.

.. **Respondents**

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, directing the respondents to consider the



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representation of the petitioner dated 30.12.2023 (sent by post on 02.01.2024) and 10.09.2024 and to allot one of the 1188 tenements (Apartments) at Division 5, Chennai Loop Road, Pattinapakkam Scheme to the petitioner who is Economically weaker section Tsunami affected people of Nochikuppam whose name was found in the list prepared by the respondents 2 and 3 under 'Tenements Reserved for Extended Family' and pass such further or other orders.

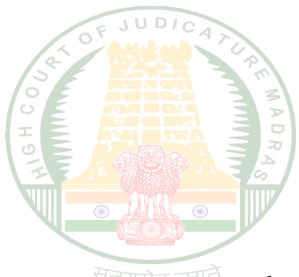
For the Petitioner : Mr.S.Doraisamy

For the Respondents : Mr.V.P.R.Elamparithi
Additional Government Pleader
for R1
Mr.S.Karthikeyan
Standing Counsel for RR2 & 3

ORDER

This Writ Petition is filed for a Mandamus directing the respondents to consider the representation of the petitioner and to allot one of the tenements at Division 5, Chennai Loop Road, Pattinapakkam, to the petitioner.

2. The claim of the petitioner is that she is an economically weaker section and Tsunami affected people and her name was also found in the list prepared by the respondents 2 and 3 under the tenements reserved for the



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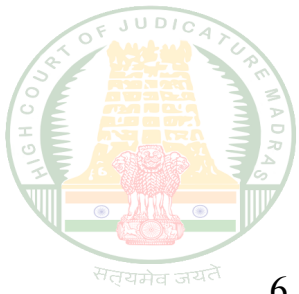
extended family.

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3. When the matter came up for admission, the learned Standing Counsel appearing on behalf of respondents 2 and 3 submitted that an allotment had earlier been made to the mother of the petitioner. In the photographs submitted along with the application, it can be seen that the petitioner is also present in the photograph as a family member.

4. The contention of the learned counsel for the petitioner is that subsequently the petitioner has got married and living as a separate family. Several generations cannot be considered as the same family and the matter cannot be rejected.

5. If the petitioner claims that they are separate family, then a fresh application for the petitioner's family can be made, in accordance with law and the same shall be considered by the respondents on its own merits.



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6. In view thereof, this Writ Petition stands disposed of with the following directions:-

(i) The petitioner shall submit a fresh application along with supporting documents and the same shall be considered by the 2nd and 3rd respondents in the manner known to law, in any event the outcome of the representation of the petitioner keeping her in the seniority shall be intimated to her, within a period of twelve weeks from the date of receipt of the representation of the petitioner;

(ii) No costs.

14.03.2025

Neutral Citation : No

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To

1.The Principal Secretary to Government
State of Tamil Nadu
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