



W.P.No.14392 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 23.04.2025

CORAM:

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

W.P.No.14392 of 2025

and

W.M.P.Nos.16234 & 16237 of 2025

V.K.CHELLAM
INA, VICE PRESIDENT,
ALL INDIA FREEDOM FIGHTERS ORGANISATION,
(TN STAR UNITE), OLD NO.841, NEW NO.1148,
25th STREET, BV COLONY,
VYASARPADI, CHENNAI-600 039.

... Petitioner

Vs

1. THE CHAIRMAN,
THE TN HOUSING BOARD,
EC MARKET SALAI,
KOYAMBEDU,
CHENNAI-107
2. THE GOVT.OF TAMILNADU,
REPRESENTS BY THE ADDITIONAL SECRETARY,
PUBLIC (POLITICAL PENSION) DEPARTMENT,
SECRETARIAT,
ST.GEORGE FORT, CHENNAI-600 009
3. SPECIAL SECRETARY TO GOVERNMENT (EXPENDITURE),
FINANCE DEPARTMENT,
FORT ST.GEORGE,
SECRETARIAT,
CHENNAI-600 009.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorarified Mandamus, calling for the records of the



W.P.No.14392 of 2025

first respondent pertaining to the order dated 19.02.2025 made in Letter No.0.1 4/7265/2021 and quash the same and direct the first respondent to provide the housing scheme in the housing board to the freedom fighters as mentioned in the representation dated 10.02.2021.

For Petitioner : Mr.V.Nandagopalan
For R1 : Mr.D.Veerasekaran (TNHB)
For R2 & R3 : Mr.V.Manoharan
Additional Government Pleader

ORDER

This writ petition is filed challenging the impugned order dated 19.02.2025.

2. The said impugned order was passed pursuant to the direction of this Court in W.P. No. 10790 of 2021, to consider the petitioner's representation and pass orders. By that order, the representation filed by the petitioner seeking allotment of a house on a preferential basis was rejected by the respondent Housing Board on the ground that the preferential quota is within the power of the Government to allot.

3. Upon hearing the learned counsel appearing for the petitioner and perusing the affidavit filed in support of the writ petition, it is seen that the



W.P.No.14392 of 2025

petitioner claims preferential allotment based on his service in the Indian Army. The learned counsel appearing for the petitioner submits that there is a one percent quota for ex-servicemen. However, as rightly pointed out in the impugned order, it is only the Government which has the power to exercise discretion under this quota, if available. Without making a request to the Government, the petitioner cannot directly approach this Court.

4. In view thereof, the petitioner shall make a representation to the Tamil Nadu Housing and Urban Development Department within two weeks from the date of receipt of the web copy of this order. Upon receipt of the representation, the said authority shall consider it in accordance with law and the applicable Government Orders with reference to any permissible quota, and pass a speaking order within eight weeks thereafter.

5. With the above direction, this writ petition stands disposed of. Consequently, connected miscellaneous petitions are closed. No costs.

23.04.2025

Neutral Citation: Yes/No
nsl



W.P.No.14392 of 2025

To
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2. THE ADDITIONAL SECRETARY,
PUBLIC (POLITICAL PENSION) DEPARTMENT,
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W.P.No.14392 of 2025

D.BHARATHA CHAKRAVARTHY, J.

nsi

W.P.No.14392 of 2025

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