



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2025

CORAM :

THE HONOURABLE **MR.JUSTICE N.ANAND VENKATESH**

Writ Petition No.18907 of 2022

K.Stewens

.... Petitioner

.Vs.

1.The District Collector
Chennai District
Singaravelan Maligai
Rajaji Road
Chennai 600 001.

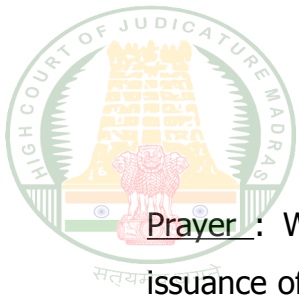
2.The Chairman
Tamil Nadu Slum Clearance Board
Kamarajar Salai
Chennai 600 005.

3.The Assistant Secretary
Tamil Nadu Slum Clearance Board
Kamarajar Salai
Chennai 600 005.

4.The Superintendent, Division-4
Tamil Nadu Slum Clearance Board
T.B.Chathiram, Chennai 600 010.

5.The Executive Officer
Arulmigu Srinivasa Perumal Thirukoil
Tamil Nadu Hindu Religious &
Charitable Endowments
S.N.P.Koil Street, Egmore
Chennai 600 008.

.. Respondents



Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records of the Respondents particularly the 3rd Respondent's proceedings dated 29.04.2022 vide Ref. Na. Ka. No. G2 / 13924 / 2021 and quash the same, consequently direct the Respondents 1 to 4 to allot a house to the Petitioner in the proposed construction of flat houses in Tamil Nadu Slum Clearance Board Area, situated at Dr. Santhosh Nagar, Egmore, Chennai-600 008 by the Respondents after considering the Petitioner's lengthy resident at No. 2/2 Slum Area Dr.Santhosh Nagar, Egmore, Chennai-600 008 in the slum area.

For Petitioner : Mr.R.Thanjan

For Respondents : Ms.P.Aishwarya
Government Advocate for R1

Mr.G.Sivakumar for R2 to R4

Mr.K.Karthikeyan
Government Advocate for R5

ORDER

This writ petition has been filed challenging the impugned proceedings of the 3rd respondent dated 29.4.2022 and for a consequential directing to respondents 1 to 4 to allot house to the petitioner in the proposed construction of flat houses in Tamil Nadu Slum Clearance Board Area, situated at Dr.Santhosh Nagar, Egmore, Chennai-600 008.

2.The case of the petitioner is that he along with his family were residing in the Slum Area at Dr.Santhosh Nagar, Egmore, Chennai, which is adjacent to the Tamil Nadu



Slum Clearance Board Houses. They were residing for more than 40 years in that area.

The Tamil Nadu Slum Clearance Board started taking steps to demolish the adjacent buildings and to construct a new building in the said area. A survey was conducted and a list of residents in the Tamil Nadu Slum Clearance Board Houses was enumerated. According to the petitioner, even those persons who are living adjacent to the Slum Clearance Board Houses were enumerated. Since the petitioner and his family were not in station, they were not able to give their family particulars.

3.The petitioner approached the 3rd respondent and gave a representation. The 3rd respondent through the impugned proceedings dated 29.4.2022 rejected the claim made by the petitioner. Aggrieved by the same, the present writ petition has been filed before this Court.

4.The respondents 2 to 4 have filed counter affidavit. They have taken the following stand in the counter affidavit:

5.I further submit that, subsequently respondent Board have demolish the building during 2019 and started reconstruction work and in fact, each and every persons of families who were already identified all residing in the said scheme and no one has been omitted during such enumeration. At this juncture, the petitioner did not approach officials to get the temporary allotment. Hence, it shows that he is not at all a resident of the said scheme area. The



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petitioner himself stated in his affidavit that he was residing at adjacent to the scheme area. He is not an allottee or residence of Dr.Santhosh Nagar Scheme. Hence, he is not entitled for allotment of tenement. Moreover, and in fact, the identity proof of such Ponniyamman Koil area, which is in existence to the adjacent of our scheme area, people are also mentioned as Santhosh Nagar area in their identity proof, taking advantage of the same, some people were trying to misuse their identity proof to get the allotment in our scheme. similarly, the petitioner also trying to get the allotment in the same manner which is nullity in the Eye of Law and moreover, the petitioner is trying to get the allotment after the enumeration process was completed. Therefore, the claim made by the petitioner is unwarranted.

6. I further submit that, the petitioner himself admitted that he was resident at adjacent to the scheme area and in his affidavit and as such, the petitioner stopped from making any claim from our Board and more particularly it is unbelievable that he was out of station due to the family function at Dindivanam and mean time the Board has completed their enumeration process in fact, the enumeration process started from 30.07.2018 to December 2019 and hence, it is unbelievable that we have omitted the petitioner for taking our consideration for allotment, if really the petitioner is a resident in scheme area, then he would have been covered under the enumeration by the Board officials, which done over a period of nearly 17 months. Therefore, the allegations made by the petitioner is concocted stories to somehow to get the allotment based upon the false documents.



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7 I humbly submit that, Dr Santhosh Nagar scheme has been reconstructed with 560 Economically weaker section tenements and the beneficiaries recommended by the Board have to pay beneficiary contribution of Rs.5,00,000/- and there is no such any vacant tenement to allot to any beneficiary and hence, we could not allot the tenement to the petitioner in Dr. Santhosh Nagar scheme.

8 I humbly submit that I hereby deny all the allegation made in para 3 to 10 of the affidavit except those which are specifically admitted hereunder and the petitioner called upon to prove the same. In fact, we have clearly sent a reply letter dated 29.04.2022, based upon the order passed in WP. No.26426/2021 by this Hon'ble court to the petitioner that the petitioner is not at all a resident of the scheme area and hence, we could not allot the tenement to the petitioner.

5.Heard the learned counsel for the petitioner and the learned counsel appearing on behalf of the respondents.

6.The specific case of the petitioner is that he and his family were residing adjacent to the Tamil Nadu Slum Clearance Board Houses. The demolition and reconstruction pertained to Dr. Santhosh Nagar Scheme and for those persons who were occupying the flats belonging to the Slum Clearance Board. Enumeration was done and



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according to the petitioner, he and his family were not in station and were not able to give their names.

7.The respondents have taken a very specific stand that the petitioner and his family were not residing in the scheme area. Enumeration was done and the persons whose names were identified have already been allotted the flats. The respondents have taken a very specific stand that there are no vacant tenements available and they are not in a position to allot any tenement to the petitioner in Dr. Santhosh Nagar Scheme.

8.In the considered view of this Court, the respondents have taken a very specific stand that the petitioner is not even a resident within the scheme area. Even as per the affidavit of the petitioner, he and his family members were residing adjacent to the slum clearance building. The petitioner seems to be claiming right on the ground that some of the allotments were ioner is specifically denied by the Slum Clearance Board. There are no particulars available before the Court to show that such allotment was made even for those persons who did not reside within the scheme area.



9. In the light of the above discussion, this Court does not find any illegality in the proceedings of the 3rd respondent dated 29.4.2022, warranting the interference of this Court and accordingly this writ petition stands dismissed. No costs.

19.8.2025

Index : Yes/No
NCS : Yes/No
KP

To

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N.ANAND VENKATESH, J.



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