

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

DATED : 07.10.2025

CORAM

THE HON'BLE **MR.JUSTICE M.DHANDAPANI**W.P.No.37640 of 2025

Indira

... petitioner

-Vs-

1. The Managing Director,
Tamil Nadu Urban Habitat Development Board,
No.5, Kamarajar Road,
Ayothya Nagar,
Chennai-5.

2. The Executive Engineer,
Division-2,
Tamil Nadu Urban Habitat Development Board,
Vyasarpadi, Chennai-39.

3. The Assistant Executive Engineer,
Division – 2,
Tamil Nadu Urban Habitat Development Board,
Vyasarpadi, Chennai-39.

4. The Assistant Engineer,
Division -2
Tamil Nadu Urban Habitat Development Board,
Vyasarpadi, Chennai-39.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, for issuance of Writs of Mandamus directing the respondents to consider the



representation dated 16.06.2025 and pass suitable orders for re-allotment of the tenement to the petitioner in the afore said address.

For petitioner : Mr.R.Harinath

For Respondents : Mr.G.Sivakumar

ORDER

The writ petition has been filed seeking a direction to the respondents to consider the representation dated 16.06.2025 and pass suitable orders for re-allotment of the tenement to the petitioner in the afore said address.

2. It is the case of the petitioner that the subject property viz., Door No.c/20 situated in the Harbour Area, Corporation Colony, was originally allotted under the Slum Rehabilitation Scheme by the Tamil Nadu Slum Clearance Board to one Ambujammal as per allotment slip dated 07.02.1991. The petitioner's husband is the son of the said Ambujammal and he died in the year 2016. Subsequently, the petitioner's mother in law Ambujammal passed away on 13.12.2021. When the petitioner husband was alive, he made a request to the respondents to transfer the subject property in his favour and the same was not consider. Hence, the petitioner husband filed a writ petition before this



Court in WP. No.4912 of 2025 for allotment and same was not considered.

Hence, the present writ petition has been filed.

3. The learned counsel for the petitioner submitted that this Court may issue a direction and pass appropriate orders within the stipulated time as fixed by this Court.

4. Per contra, the learned Counsel for the respondents submitted that there are four legal heirs available for the said Ambujammal and each of the legal heirs have fighting for the property. In view of the dispute between the parties, the respondents have no power to pass any order.

5. Heard both sides and perused the materials available on record.

6. since it is a disputed question of fact between the parties and it is purely civil in nature, this Court cannot be decided the issue. If the petitioner is aggrieved, he has to file appropriate suit/petition before the competent civil court. Instead of doing that, the petitioner approached this Court by way of filing this writ petition under Article 226 of Constitution of India, which is not



maintainable and hence, the prayer sought for by the petitioner cannot be granted and the writ petitions is liable to be dismissed.

7. Accordingly, the writ petitions are dismissed. No costs.

07.10.2025

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To

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M.DHANDAPANI, J.

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