



W.P(MD)No.12817 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.07.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.12817 of 2024

and

W.M.P(MD)No.11396 of 2024

C.Vijayaraj

... Petitioner

Vs

1. Tamil Nadu Police Housing Corporation Limited,
Represented by its Chairman cum Managing Director,
No.132, Evr Salai,
Kilpauk, Chennai - 10.

2. The Executive Engineer,
Tamil Nadu Police Housing Corporation Limited,
No.132, Evr Salai,
Kilpauk, Chennai - 10.

3. Thasildar,
Vandalur Taluk,
Chengalpattu District - 600 048.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to refund the excess amount collected from the petitioner in the name of Development Cost, Difference of Amount Rs.14,131/- and Grill Charges of Rs.35,000/- with interest as well as to forthwith rectify the Water Seepage in the



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5th Floor / Door No.PC-7/20 and all the respondents to ensure the free vehicle movement throughout the Police Hosing Colony without any restriction within the time limit that may be stipulated by this Court.

For Petitioner : Mr.K.Gurunathan

For Respondents : Mr.K.S.Selva Ganesan
Additional Government Pleader

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Mandamus, to direct the respondents 1 and 2 to refund the excess amount collected from the petitioner in the name of Development Cost, Difference of Amount Rs.14,131/- and Grill Charges of Rs.35,000/- with interest as well as to forthwith rectify the Water Seepage in the 5th Floor / Door No.PC-7/20 and all the respondents to ensure the free vehicle movement throughout the Police Hosing Colony without any restriction.

2. The learned Additional Government Pleader, on written instructions through communication letter dated 25.07.2025 submitted that the development cost, difference of amount of Rs.14,131/- would be paid to the petitioner at the



earliest. The said submission is recorded.

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3. The next contention of the petitioner is that the respondents have granted grill facility in the ground floor, but not from the first floor to the fifth floor. The respondents collected the amount for the same from members of all floors, however, grill facility was granted only to the ground floor.

4. The learned Additional Government Pleader, on instructions, submitted that the grill facilities were granted to the ground floor since safety is necessary for the persons in the ground floor. The said reason is not logical.

5. This Court is of the considered opinion that grill facilities should be granted to all occupants. In the reply to the Right To Information, the respondents have stated that only a wall to a limited extent would be constructed by them and that the grill facility should be erected by the members, who have been allotted with the houses. However, in the same reply, it is also stated that grill facilities were granted to the ground floor but not to the other floors. Hence, there is a clear discrimination. Therefore, the respondents are directed to consider the petitioner's plea and take appropriate steps to ensure that any facility granted to any floors should be granted to all persons without any discrimination.



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6. As far as the water seepage is concerned, the learned Counsel appearing for the respondents submitted that the construction was completed ten years ago and the building was handed over to the inmates of the building. Hence, the society ought to maintain the premises including rectification of water seepage. Therefore, the petitioner is directed to approach the society for such rectification of water seepage.

7. As far as a free vehicle movement is concerned, the learned counsel for the petitioner submitted that independent houses allotted to certain police personnel have encroached the open space. The said allegation even though refuted by the respondents, it is seen that there is encroachment in some portion. Open space cannot be occupied by any persons. Therefore, the respondents are directed to carry out spot inspection. If there is any such encroachment, the respondents are directed to remove the same, within a period of six months from the date of receipt of a copy of this order. Free access shall be granted for parking the vehicles for all inmates.

8. The respondents are further directed to pay the Development Cost, difference of amount of Rs.14,131/-, within a period of four (4) weeks from the date of receipt of a copy of this order.



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9. With the above observations, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

28.07.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes

jbr

To:

1. Tamil Nadu Police Housing Corporation Limited,
Represented by its Chairman cum Managing Director,
No.132, Evr Salai,
Kilpauk, Chennai - 10.
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Tamil Nadu Police Housing Corporation Limited,
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S.SRIMATHY, J.

jbr

ORDER MADE IN
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DATED : 28.07.2025