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WP No. 5865 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-02-2026

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THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 5865 of 2026

AND

WMP NO. 6379 OF 2026

S.Malarkodi
MIG, C-3,
Tamil Nadu Housing Board Flats,
Foreshore Estate, Pattinapakkam,
Chennai- 60 0028.

..Petitioner(s)

Vs

1. Tamil Nadu Housig and Urban Development
Department
Rep by the Principal Secretary,
Fort St. George, Chennai- 600 009.
2. Tamil Nadu Housing Board
Rep by Managing Director,
CMDA Building, Koyembedu, Chennai.
3. The Executive Engineer
Tamil Nadu Housing Board,
Pattinapakkam Division,
Nandanam, Chennai-600 035.

..Respondent(s)

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for a writ of Mandamus to direct the 1st Respondent to consider the Representation of the Petitioner dated 19.12.2025 and provide the Petitioner with an alternate accommodation at Thadandar Nagar, Saidapet instead of, Ayyapakkam as granted in G.O.Ms. No.182 of 2025 dated 26.11.2025 and pass.



For Petitioner(s):

Mr.Niranjan Rajagopalan for M/s.G.R.Associates

For Respondent(s):

Mr.Yogesh Kanndasan, Special Government
Pleader for R1

Mr.D.Veerasekaran

Standing Counsel for R2 & R3

Order

The petitioner has filed the above writ petition seeking direction to the 1st respondent to provide her with an alternate accommodation at Thadandar Nagar, Saidapet instead of Ayyapakkam, as granted in the above said Government Orders based on his representation.

2. The contention of the petitioner is that she has been allotted an alternate accommodation far away at Ayapakkam instead of Thadandar nagar, which is only 30 km away from the present place. However certain persons have been shown favour by giving them allotment in the nearby places. The petitioner would also submit that through the RTI application of the residents, it was learnt that nearly 224 plots are vacant in Thadandar Nagar, Saidapet and public quota allotments have been made. Therefore, the petitioner submitted a representation to the 1st respondent to grant her the alternate accommodation at Thadandar Nagar, Saidapet. The representation is yet to be considered and therefore, the petitioner is before this Court.



3. The learned counsel appearing for the respondents would submit that by filing the writ petition, the petitioner was trying to circumvent the earlier orders of this Court in Cont.P.N0.3931 of 2025, etc. The petitioner who seeks alternate accommodation is not willing to take the same when granted.

4. Heard the counsels and also perused the materials available on record.

5. In the judgment in W.P.No.18495 of 2025 dated 29.07.2025, the learned Judge had observed that on a perusal of the materials, it is clear that an alternate accommodation has been provided in K.K.Nagar to persons who were party functionaries and Personal Assistant to Ex-ministers. The Court had deprecated this selective allotment and the Court had directed the 1st respondent to deal with the representation and till such time, directed to maintain the status quo.

6. The 1st respondent stated that the representations were rejected on the basis that the alternate accommodation was not available and further if any fresh application was made by the petitioner, considering the vacancy position, the request of the petitioner would be considered. Since this stand was in total variance to the orders passed by this Court, the petitioner along with other residents has moved Contempt proceedings. The learned Judge by order dated



12.12.2025 has taken note of the fact that the alternate accommodation given to the petitioner is at variance with the allotment given to similarly placed persons and since the grievance could not be ventilated in a contempt proceedings, the learned Judge had closed the contempt petitions, leaving it open to the petitioners therein to challenge the rejection order in the manner known to law. Therefore, the writ petitioner is before this Court, seeking a direction to consider the representation.

7. There is no response to the petitioner submission that still there are vacant flats available at Thadandar Nagar, Saidapet. Therefore, the 1st respondent is directed to consider the petitioner representation dated 19.12.2025 and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that till such time an orders of injunction restraining the respondents from evicting the petitioner from the present tenement at Pattinapakkam, is granted. The petitioner shall continue to reside in the present tenement and that if any untoward incident happens, she does not hold the respondents liable and seek compensation.

8. The learned Additional Government Pleader strongly opposed to the order of injunction. However, this Court is of the view that if the orders of injunction, is not granted, the respondents would forcibly vacate the petitioner and the entire exercise would become infructuous.



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9. The Writ Petition stands disposed of with the above directions. No costs. Consequently connected miscellaneous petition is closed.

19-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

1. The Principal Secretary,
Tamil Nadu Housing and Urban Development
Department
Fort St. George, Chennai- 600 009.
2. The Managing Director,
Tamil Nadu Housing Board,
CMDA Building, Koyembedu, Chennai.
3. The Executive Engineer
Tamil Nadu Housing Board,
Pattinapakkam Division,
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