



WEB COPY

WP No. 7082 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-02-2026

CORAM

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

WP No. 7082 of 2026

AND

WMP NO. 7699 OF 2026

P.Sakunthala
No.6, Appaswamy Street
Harrington Road, Chetpet
Chennai 600031.

Presently residing at
Plot.No.85, Adhinath Bhagvan Garden 4th Street,
Padmanabha Nagar, Puzhal,
Chennai-600 066.

..Petitioner(s)

Vs

1. The Managing Director,
Tamil Nadu Urban Habitat Development Board
No.5, Kamarajar Salai,
Chennai-600 005.

2. The Executive Engineer,
Division IV,
Tamil Nadu Urban Habitat Development Board
No.2/124, Sir Thiyagaraya Road
Teynampet, Chennai – 600018.

..Respondent(s)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Mandamus calling for the records of allotment of said 4 Flats out of 68 Flats and quash the same remitting the matter back to these Respondents 1 and 2 for re-doing proper allotment of flats, allotting one flat in the petitioner's favour in the 4 flats out of 68 flats and pass orders.



For Petitioner(s):

Mr.A.Murali

For Respondent(s):

Ms.K.Indumathy Venkatesh
for R1 & R2

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ORDER

The writ petition has been filed for the following relief :

“ To issue a Mandamus calling for the records of allotment of said 4 Flats out of 68 Flats and quash the same remitting the matter back to these Respondents 1 and 2 for re-doing proper allotment of flats, allotting one flat in the petitioner’s favour in the 4 flats out of 68 flats and pass orders.

2. The petitioner is an octogenarian aged 82 years. The petitioner would submit that she is living in a flat consisting of 16 row houses at No.6, Appasamy Street, Harrington Road, Chennai for more than 30 years and this is the only property owned by her. Just opposite to her apartment, is a large slum clearance tenements consisting of 64 flats. With a view to development the slum property into a storeyed building, the first respondent had demolished the property including the 16 row houses where the petitioner had resided and had now constructed 68 flats. The respondents had issued tokens to the 64 persons who had been in occupation in the said 64 flats and for the balance 4 flats, the first respondent had decided to provide flats only for four persons out of 16 persons who had lived in row houses. According to the petitioner, she was given



an assurance that she would be provided one flat in the said 68 flats, but in the list provided by the respondents, the petitioner's name did not figure out.

Therefore, the petitioner had submitted her representation to the respondents on 05.02.2026 seeking to provide an allotment in the subject property. Since the same was not considered to date, the petitioner is before this Court to direct the respondents to re-do the allotment and allot one flat in her favour,

3. Heard the learned counsel for the petitioner and Ms.K.Indumathy Venkatesh, learned counsel appearing for the respondents and also perused the materials placed before the Court.

4. The defence taken by the respondents is that the petitioner is an encroacher and therefore, the name of the petitioner does not figure as a beneficiary in the list provided by the respondents. However, the documents that has been submitted by the petitioner before this Court, would show that the petitioner had been residing in the property which has been demolished by the respondents. Taking note of the fact that the documents produced by the petitioner amply prove that the petitioner is the resident of the said locality, this Court directs the respondents to consider the claim submitted by the petitioner afresh and pass orders, after affording an opportunity of hearing to the petitioner, within a period of three weeks from the date of receipt of a copy of this order.



5. With the above directions, the writ petition is disposed of.

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26-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

DS

To:

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