



WEB COPY

WP No. 7564 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. 7564 of 2026

Umayal
W/o. (Late) Gunalan
No.156/1, Srinivasapuram,
Foreshore Estate, Chennai-600 028.

..Petitioner

Vs

1. The Managing Director
Division-5
Tamil Nadu Urban Habitat Improvement Board
No.130, Pillaiyar Temple Garden Commercial Complex
R.K. Mutt Road, Mylapore, Chennai-600 004.
2. The Executive Engineer
Tamil Nadu Urban Habitat Improvement Board
No.130, Pillaiyar Temple Garden Commercial Complex
R.K. Mutt Road, Mylapore, Chennai-600 004.
3. Manibalan
S/o. Late Murthi,
Old. No.115/7, New No.4/16,
Nochikuppam, Mylapore, Chennai-600 004
4. Sneha Salomi
Old. No.115/7, New No.4/16,
Nochikuppam, Mylapore, Chennai-600 004

..Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Mandamus directing the respondents 1 and 2 to
consider the representation of the petitioner dated 03.11.2025 as well as



reminder dated 31.01.2026 seeking allotment of house and to take action thereon within a time frame that may be fixed by this Honble Court

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For Petitioner: Mr.K.S.Jeyaganeshan

For Respondents: Mr.G.Venkatesan for R1 & R2

ORDER

The writ petition has been filed seeking a mandamus to the respondents 1 and 2 to consider the representation of the petitioner dated 03.11.2025 seeking allotment of house as well as his reminder dated 31.01.2026.

2. It is the case of the petitioner that in the year 1972, a house was allotted in Old Door No.115/7 at Nochikuppam in the name of Rajee, who is none than the father-in-law of the petitioner. Rajee had a wife named Vanamayil and two sons namely Gunalan and Murthi. Gunalan is the husband of the petitioner and the couple had two children viz., Pandian and Vanitha. The petitioner's brother-in-law Murthi and his wife Porselvi had four children namely Vadivelan, Manibalan, Manivannan and Megala.

3. In the year 2014, the Tamil Nadu Slum Clearance Board (now Tamil Nadu Urban Habitat Development Board) had decided to demolish the old houses in Nochikuppam, Mylapore, and had decided to put up a new structures in the said locality. The petitioner would submit that the respondent, with an



intention to provide an alternate temporary houses, had conducted survey and enumeration, in the year 2014, during which time, her father-in-law, mother-in-law, brother-in-law and her husband are no more, and only the petitioner, her children and legal heirs of Murthy alone were there in the said house.

4. Be that as it may, after completing the construction of new residence apartments, on 03.07.2017, the respondent Board allotted one house in Old Door No.115/7, New Door No.4/16 in the name of Porselvi and her three children. The petitioner would submit that she was informed by the respondent that vide fresh allotment in the extended area, a house in Door No.4/16 will be made available to the petitioner, However, the respondent without following the equity in the allotment procedures, had proposed the names of Manibalan, the other son of Murthy, and Sneha Salomi, W/o. Manivannan, S/o.late Murthy, for granting fresh allotment in the extended area.

5.The petitioner would contend that the original allotment was made in her father-in-law Rajee's name. The legal heirs of Rajee are Gunalan and Murthy, and they both have died. The grievance of the petitioner is that the first allotment was given to Porselvi, the wife of late Murthy and now once again for the extended house also, the allotment is proposed in



the name of Manibalan and Sneha Salomi, the other legal heirs of late Murthy. However, no allotment was made in the name of the petitioner.

The petitioner would submit that there should be equity in allotment and hence, the 2nd intended allotment should be in her name, who is also the legal heir of Rajee.

6. It is also represented before the Court that the children of late Murthy and late Gunalan by mutual consent had agreed that each family would take one house, without any dispute and this was reduced in writing on 22.09.2020, which was also agreed in an undertaking dated 30.11.2023, mutually entered between the petitioner's son and son of late Murthy.

7. Contending that the act of the respondent is against equity and the procedure followed is arbitrary, she had submitted a representation on 03.11.2025, requesting the respondent to allot one house to her family. She had sent a reminder on 30.01.2026. Since, her representations were not considered by the respondents to date, the petitioner is before this Court.



8. Heard the learned counsel on either side and also perused the materials placed before this Court.

9. Considering the facts and circumstances of the case, this Court directs the respondent to consider the representations submitted by the petitioner on 03.11.2025 and 31.01.2026 and pass orders within a period of one month, subject to the production of the documents by the petitioner to show that she is the Class-I legal heir of deceased Rajee, who according to the petitioner, is the original allottee, and also whether she had resided in the said place, during the survey and enumeration conducted by the respondent in the year 2014, as alleged by the petitioner and also after verifying the veracity of undertakings that was executed between the members of two families, after affording an opportunity of hearing to both the petitioner and the respondents 3 and 4, the legal heirs of late Murthy.

10. With the above directions, the writ petition is disposed of. No costs.

26-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
DS



To:

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