

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2015

CORAM

THE HONOURABLE Mr. JUSTICE T.S.SIVAGNANAM

W.P.No.32939 of 2013

1.T.Vanaja
2.V.Rasaiya
3.S.Vijayalakshmi
4.C.Ramasamy
5.M.Vijaya
6.M.Sundaresan
7.M.Poomalai

...Petitioners

v.

1 THE DISTRICT COLLECTOR
NAGAPATTINAM DISTRICT COLLECTORATE OFFICE
NAGAPATTINAM.

2 THE SPECIAL THASILDAR
(RELIEF AND REHABILITATION)
DISTRICT COLLECTORATE OFFICE
NAGAPATTINAM DISTRICT.

3 THE SUPERINTENDENT
TSUNAMI DISTRICT EXECUTIVE WING
NAGAPATTINAM.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of mandamus directing the 2nd respondent to include the names of the petitioners in the beneficiaries list and direct the 3rd respondent to allot the concert constructed residential house to the petitioners.

For Petitioners : Mr.M.Thamihavel

For Respondents : Mr.M.L.Mahendran,
Govt.Advocate

ORDER

This writ petition has been filed seeking a direction to the 2nd respondent to include the names of the petitioners in the beneficiaries list and direct the 3rd respondent to issue allotment order for constructing a residential house, as the petitioners have been affected on account of Tsunami.

2. The learned counsel for the petitioners has drawn the attention of this Court to the List of Beneficiaries which has been drawn for Vizhunthamavadi, wherein 270 persons have been selected as beneficiaries. On a perusal of the tabulated statement, it is seen that the names of the petitioners find place in the list of Beneficiaries. However, it appears that subsequently another list has been prepared, in which the petitioners' names were missing. Therefore, the petitioners submitted a query under the Right to Information Act through their Counsel.

3. On a perusal of the reply dated 23.01.2013 given by the Superintendent of the Tsunami Relief Scheme, it is seen that it is totally vague. The concerned Officer has directed the petitioner to approach the Special Officer [Relief and Rehabilitation] and ascertain information. Thus it is evident that there is a change in the names of the beneficiaries and the second list of beneficiaries has now been implemented. In such circumstances, the petitioners are entitled to know on what basis their names were deleted and new persons were included. Since the Revenue Officials have given an evasive reply, this Court is of the view that the District Collector should look into the matter.

4. Accordingly, there shall be a direction to the District Collector to call for the entire files with regard to the list of beneficiaries who have been selected initially and subsequently and ascertain the exact reasons and pass an order and intimate the same to the petitioner within a period of four weeks from the date of receipt of a copy of this order. Thereafter, it is open to the petitioners to work out their remedies in the manner known to law.

Accordingly, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

gms

To

1 THE DISTRICT COLLECTOR
NAGAPATTINAM DISTRICT COLLECTORATE OFFICE
NAGAPATTINAM.

2 THE SPECIAL THASILDAR
(RELIEF AND REHABILITATION)
DISTRICT COLLECTORATE OFFICE
NAGAPATTINAM DISTRICT.

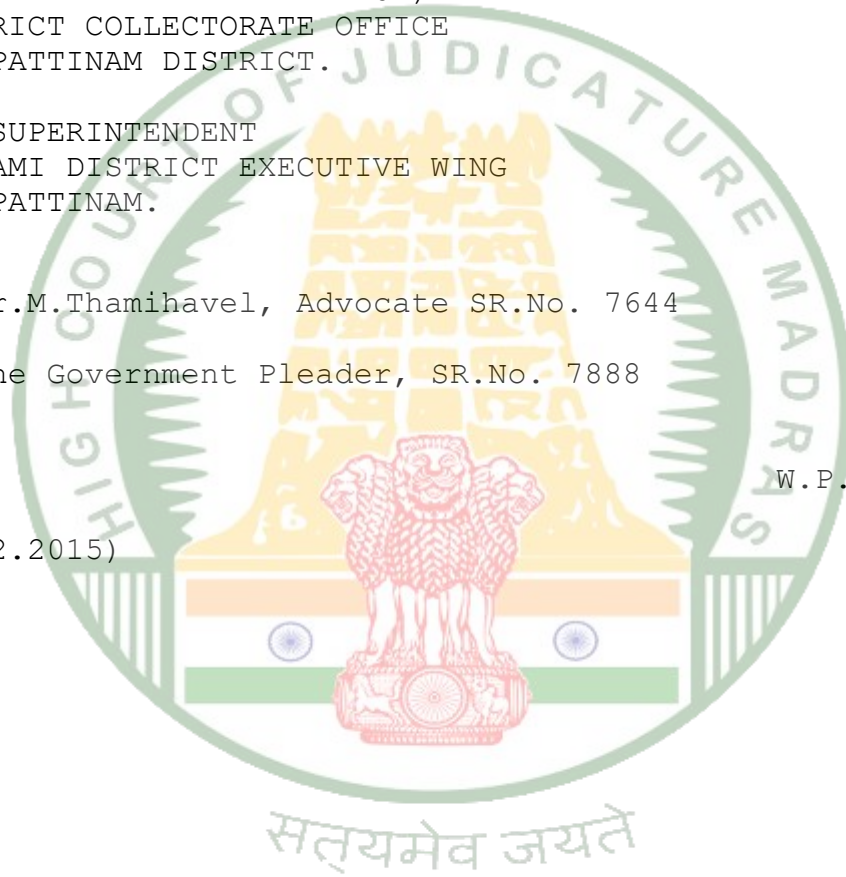
3 THE SUPERINTENDENT
TSUNAMI DISTRICT EXECUTIVE WING
NAGAPATTINAM.

1 CC to Mr.M.Thamihavel, Advocate SR.No. 7644

1 CC to the Government Pleader, SR.No. 7888

MP (CO)
PSI (26.02.2015)

W.P.No.32939 of 2013



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