



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.07.2015

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.(MD)No.12957 of 2015
and M.P.(MD) No. 1 of 2015

P.Raju

... Petitioner

Vs.

1.The District Collector,
Collectorate,
Ramanathapuram District,
Ramanathapuram.

2.The Special Deputy Collector(Rehabilitation),
Mandapam Camp,
Ramanathapuram District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to permit the petitioner to occupy present dwelling house situated at Door No.18/3, Government Quarters, Chinna Mariamman Kovil Street, Mandapam Camp-623 519, Ramanathapuram District for the academic year 2015-2016 on payment of monthly rent as if paid by the petitioner after retirement as per the petition dated 16.07.2015 and pass such other or further orders as this Court may deem fit and proper in the circumstances of the case.

For Petitioner :Mr.S.Radhakrishnan

For Respondents :Mr.K.Guru

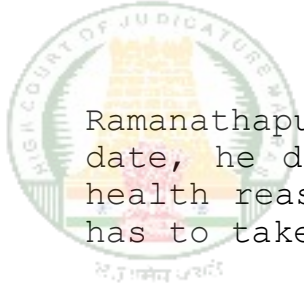
Addl.Government Pleader

O R D E R

This petition has been filed seeking for issuance of Writ of Mandamus directing the respondents to permit the petitioner to occupy the dwelling house situated at Door No.18/3, Government Quarters, Chinna Mariamman Kovil Street, Mandapam Camp - 623 519, Ramanathapuram District for the period 2015-2016 on payment of monthly rent payable by the petitioner.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

3. The petitioner is retired as a Deputy Tahsildar and when he was in service, he was granted a Government Quarters at Door No.18/3, Chinna Mariamman Kovil Street, Manapam Camp - 623 519,



Ramanathapuram District. Though he retired in the year 2014, till date, he did not vacate the quarters. The petitioner cited certain health reasons for not having been able to move out as his daughter has to take medical treatment for chronic illness.

4. However, if a government servant retires, the maximum period for vacating the quarters is three months, beyond which, the occupant is liable for penal rent. However for the reasons best known to the respondents, the petitioner is being permitted to occupy the quarters from 2014 onwards.

5. In the light of the above facts, a direction is issued to the first respondent to consider the petitioner's representation dated 16.07.2015 and to pass orders on merits and in accordance with law, within three weeks from the date of receipt of a copy of this order. The petitioner is directed to furnish the copy of the representation with all the medical certificates along with a copy of this order to the first respondent. Till passing of orders by the first respondent, the petitioner shall not be evicted. This order shall not be a precedent for others.

6. With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected M.P.(MD) No. 1 of 2015 is closed.

Sd/-

Assistant Registrar (Writ)

/True copy/

Sub Assistant Registrar

skn

To

1. The District Collector,
Collectorate, Ramanathapuram District,
Ramanathapuram.

2. The Special Deputy Collector (Rehabilitation),
Mandapam Camp,
Ramanathapuram District.

+1CC TO MR.S.RADHAKRISHNAN, ADVOCATE SR NO.42433

+1CC TO SPECIAL GOVERNMENT PLEADER IN SR NO.41597

W.P. (MD) No.12957 of 2015
and M.P. (MD) NO. 1 of 2015
29.07.2015

rg.31.07.2015

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