



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.05.2015

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THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P. (MD) No. 8023 of 2015
and M.P. (MD) No. 1 of 2015

A.Dhanalakshmi ... Petitioner

Vs.

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

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

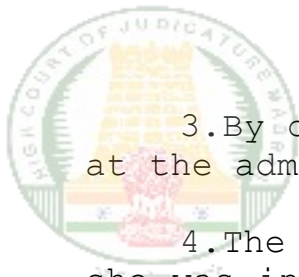
PRAYER: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to permit the petitioner to occupy present dwelling house situated at Door No.21/1, Government Quarters, Chinna Mariamman Kovil Street, Mandapam Camp-623 519, Ramanathapuram District for the academic year 2015-2016 on payment of monthly rent as if paid by the petitioner after retirement and to pass such further or other orders as this Court may deem fit and proper in the circumstances of the case.

For Petitioner : Mr.M.Saravanakumar
For Respondents : Mr.V.Muruganandam
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 present dwelling house situated at Door No.21/1, Government Quarters, Chinna Mariamman Kovil Street, Manapam Camp - 623 519, Ramanathapuram District for the academic year 2015-2016 on payment of monthly rent as if paid by the petitioner after retirement.

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



3. By consent this Writ Petition is taken up for final disposal at the admission stage itself.

4. The petitioner is retired as a noon meal organiser and when she was in service, she was granted a Government Quarters at Door No.21/1, Chinna Mariamman Kovil Street, Manapam Camp - 623 519, Ramanathapuram District. Though she retired in the year 2012, till date, she did not vacate the quarters. The petitioner cited certain health reasons for not having been able to move out as she has to take medical treatment.

5. 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 2012 onwards.

6. In the light of the above facts, a direction is issued to the first respondent to consider the petitioner's representation dated 07.05.2015 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 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.

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

Sd/-
Deputy Registrar(Judicial)/
Vacation Officer

/True copy/

Sub Assistant Registrar

pjl/ssl

To

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

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

+1cc to MR.M.SARAVANAKUMAR, ADVOCATE IN SR NO.25337

+1cc to Special Government Pleader Sr NO. 25342

W.P.(MD) No.8023 of 2015
and M.P.(MD) NO. 1 of 2015
13.05.2015