

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2016

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.5174 of 2016 and
WMP.No.4548/2016

Puducherry Bhimsena
Rep. by its President Registered Office
No.30 Padmini Nagar, Villiannur and Post
Puducherry-605 110 ... Petitioner

Vs

- 1 The Director,
Adi Dravidar Welfare Department,
Government of Puducherry, Puducherry.
- 2 The Chief Secretary to the Government,
Government of Puducherry,
Chief Secretariat,
Puducherry ... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to direct the respondents to invite application from all eligible candidates and identify the beneficiaries and prepare the list of beneficiaries of house sites on the basis of The Puducherry house site/house allotment (Under the Scheme Provisions of house sites / houses to Scheduled Caste) Rules 1981 to the Schedule Caste people of puducherry origin including the members of the petitioner Puducherry Bhimsena Sangam

For Petitioner : Mr.P.R.Thiruneelagandan

For Respondents : Mr. Tamilvanan Govt. Advocate
(Puducherry)

ORDER

By consent, the writ petition itself is taken up for final disposal.

2. The petitioner claims that he is the president of petitioner association and it is taking all efforts to facilitate overall well being and welfare of the downtrodden population of Puducherry Schedule Caste people, especially in and around Puducherry.

3. The grievance expressed by the petitioner appears to be that the Director, Adi Dravidar Welfare Department, without resorting to proper procedure, for allotment of free house sites for deserving scheduled caste candidates acting on whims and fancies, indiscriminately, making allotment of house sites in favour of persons, who do not deserve any kind of consideration as they are not coming within the norms. The petitioner in this regard, submitted a representation dated 09.12.2015 to the first respondent and since no orders have been passed, came forward to file this writ petition.

4. This Court granted an interim order of status quo on 30.3.2016 and the same was periodically extended.

5. The learned counsel for the respondents has drawn the attention of this Court to the counter affidavit and would submit that in Ariyurpet village of Puducherry, 142 numbers of dwelling units were constructed by Adi-dravidar Welfare Department, Puducherry for being issued to eligible Scheduled Caste persons and 350 applications were issued to the people of that area and out of the said applications 198 applications were received by the Department and are subjected to verification and field level inspection by Area Welfare Inspector and reports have also been submitted and 155 applicants, who have fulfilled the requirement of the scheme are identified as eligible for consideration and the Selection Committee which met on 25.1.2016 has selected only 138 eligible beneficiaries out of 142 for accommodating 142 house sites in the first phase of selection and remaining four houses are kept for future consideration and therefore, prays for dismissal of the writ petition.

6. Be that as it may, though the petitioner prayed for a larger relief, this Court in the light of the above facts and circumstances, directed the first respondent to consider and dispose of the petitioner's representation dated 09.12.2015 in accordance with law after providing an opportunity of personal hearing to the president of the petitioner association, namely, Thiru.HariKrishnan and pass orders on or before 04.07.2016 and communicate the decision taken, to the petitioner and till then, status quo as on 30.3.2016, shall be maintained.

7. Writ petition is disposed of accordingly. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To:

- 1 The Director,
Adi Dravidar Welfare Department,
Government of Puducherry,
Puducherry.
- 2 The Chief Secretary to the Government,
Government of Puducherry,
Chief Secretariat, Puducherry.

+1cc to Mr.P.R.Thiruneelagandan, Advocate sr.29908

W.P.No.5174 of 2016

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srg 15/06/2016

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