



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.12.2016

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P(MD)No.15917 of 2016

I.Sanjeeviyammal ... Petitioner

Vs.

1.The Secretary (Village Panchayat) to Govt.
St. George Fort,
Chennai - 09.

2.The District Collector,
Office of District Collectorate,
Virudhunagar District,
Virudhunagar.

3.The Block Development Officer
(Village Panchayat)
Srivilliputhur Union Office,
Srivilliputhur, Virudhunagar District.

4.The Union Supervisor/Engineer,
Srivilliputhur Union Office,
Srivilliputhur, Virudhunagar District.

5.The President,
Reddiapatti Village Panchayat,
Srivilliputhur Union Office,
Srivilliputhur, Virudhunagar District.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondents to release the entire balance consideration amount from the Fund of Hon'ble Pradhan Mantri Indira Gramin Awaas Yojana (PMAY) Housing Scheme to the petitioner, based on her representation dated 01.08.2016, within time frame fixed by this Court.

For Petitioner

: Mr.K.Sankar

For Respondents

: Mr.A.Muthukaruppan

Additional Government Pleader
for R1 and R2Mr.T.S.Mohammed Mohideen
for R3 to R5

O R D E R

The petitioner seeks for a Mandamus directing the respondents to release the entire balance consideration amount from the Fund of Hon'ble Pradhan Mantri Indira Gramin Awaas Yojana (PMAY) Housing Scheme based on her representation dated 01.08.2016.

2.The petitioner was allotted a house under Indira Yogana Scheme with a total sanction of Rs.1,20,000/- for construction of such house. The grievance of the petitioner is that even though the respondents have released a sum of Rs.84,405/-, the balance amount has not been paid to the petitioner, even though the construction has been completed in full.

3.A counter affidavit has been filed by the fifth respondent, wherein, it is stated that the petitioner was allotted a house under Indira Yogana Scheme with the sanctioned amount of Rs.1,20,000/-. The petitioner was already paid a sum of Rs.84,405/- and for paying the balance amount of Rs.37,514/- the petitioner has to complete the construction work.

4.The learned counsel appearing for the petitioner submitted that the petitioner has already completed the construction and therefore, the balance amount can be released by the respondents.

5.Considering the rival submissions of the parties and the respective pleadings, it is seen that the balance amount of Rs.37,516/- has not been released to the petitioner only on the reason that he has not completed the construction in full. On the other hand, the learned counsel for the petitioner submitted that the construction has been completed already. If that is the case, there cannot be any impediment for the respondents to release amount after making a local inspection and verifying the facts.

6.Accordingly, this writ petition is disposed of with a direction to the respondents 3 and 4 to release the amount of Rs.37,516/- after making a local inspection and verifying the construction put up by the petitioner. Such exercise shall be done by the respondents 3 and 4 within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Deputy Registrar

/True Copy/

Sub Assistant Registrar



To

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St. George Fort,
Chennai - 09.

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Srivilliputhur Union Office,
Srivilliputhur,
Virudhunagar District.

+1cc to Mr.T.S.Mohamed Mohidheen,Advocate Sr.No.80473
+1cc to Mr.K.Sankar,Advocate Sr.No.80389
+1cc to M/S THE SPECIAL GOVERNMENT PLEADER, SR.NO.80495

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