

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2017

CORAM

THE HON'BLE MR.HULUVADI G.RAMESH, ACTING CHIEF JUSTICE
AND

THE HON'BLE MR. JUSTICE RMT. TEEKAA RAMAN

W.P.No.6074 of 2017

A.Elumalai @ Elumalaikannan ... Petitioner

Vs.

- 1 The Director
Rural Development & Panchayat Raj Department
Government of Tamil Nadu, Panagal Maaligai
Saidapet, Chennai-15.
- 2 The District Collector
O/o. of The District Collectorate
Villupuram District.
- 3 K.Muthukumaran
Vikkravandi Union Councilor
Muttathur Panchayat, Vikkravandi Union
Villupuram District.
- 4 T.Manoharan
S/o.P.Thoppalagounder
Retd. Govt. Servant
Muttathur Village, Vikkravandi Panchayat
Villupuram District. ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus directing respondents 1 & 2 to conduct an enquiry on the representations of the petitioner dated 20.04.2015 and 20.05.2015 to take action against the guilty officials/respondents 3 and 4 herein who have allotted houses under the Chief Minister solar powered green house scheme to the undeserving people and consequently recover the cost of the same with interest from the illegal allottees the 4th respondent herein and allot the same in a fair and transparent manner to the deserving beneficiaries as per the list sent by the village panchayat.

For Petitioner : Mr.A.P.Suryaprakasam

For Respondents : Mr.R.Vijayakumar
Addl. Government Pleader
for respondents 1 and 2

ORDER

(Order of the Court was made by the Acting Chief Justice)

Mr.R.Vijayakumar, learned Additional Government Pleader takes notice for respondents 1 and 2.

2. The petitioner has filed this writ petition seeking issuance of a writ of mandamus directing respondents 1 and 2 to conduct an enquiry on the representations of the petitioner dated 20.04.2015 and 20.05.2015 to take action against the guilty officials/respondents 3 and 4 herein who have allotted houses under the Chief Minister solar powered green house scheme to the undeserving people and consequently recover the cost of the same with interest from the illegal allottees - fourth respondent herein and allot the same in a fair and transparent manner to the deserving beneficiaries as per the list sent by the village panchayat.

3. It is the case of the petitioner that the Government announced a scheme under which people living below poverty line were entitled to apply for solar powered green houses. It is his plea that during 2012 and 2013, a devastating fire accident broke out in the village, in which several houses were burnt. It was resolved in the Village Sabha that the people who lost their houses in the fire should be granted houses under the above scheme. It is the plea of the petitioner that undeserving and unqualified people living above poverty line have been allotted houses at the cost of actual victims. The petitioner sent representations on 20.4.2015 and 20.5.2015 to the respondent authorities to be fair in allotment of houses under the scheme. However, the same did not evoke any response. Hence, the present writ petition.

4. The petitioner has not furnished statistics regarding the allotments made by the Government under the Scheme; the violations found in allotments, etc., substantiating the plea raised in this writ petition. It is for the petitioner to furnish such particulars to the respondent authorities and on

such particulars being furnished, the respondent authorities shall consider the grievance of the petitioner in accordance with law and ensure that only deserving persons are given allotments.

The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

sasi

To:

- 1 The Director,
Rural Development & Panchayat Raj Department,
Government of Tamil Nadu, Panagal Maaligai,
Saidapet, Chennai-15.
- 2 The District Collector,
O/o. of The District Collectorate,
Villupuram District.

+1cc to M/S.A.P.Surya Prakasam, Advocate Sr.16845
+1cc to the Government Pleader Sr.16312

W.P.No.6074 of 2017

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srg 22/03/2017

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