

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.01.2017

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

W.P.No.18923 of 2013

1. R. Usha
2. K. Chandra
3. Thenmozhi

.. Petitioners

Versus

- 1.The State of Tamil Nadu
Rep. By its Principal Secretary to Government,
Rural Development and Panchayat Raj Department,
Secretariat, Fort St. George,
Chennai.
- 2.The Commissioner,
Rural Development and Panchayat Raj,
Rural Development and Panchayat Raj Department,
Secretariat, Fort St. George,
Chennai.
- 3.The District Collector,
o/o the District Collector,
Tiruvannamalai,
Tiruvannamalai District

.... Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order in letter No.4975/Ma.A.Thi.1/2013-3, dated 03.05.2013, pending on the file of the 1st respondent and quash the same in so far as the part of the order pertaining to the petitioners are concern and issue an order of direction directing the respondents to allot houses to the petitioners under the Chief Minister's Solar Powered Green House Scheme (CMSPGHS).

For Petitioner	:	Mr.R.Amardeep
For Respondents	:	Mr.S.Diwakar, Spl.G.P.

O R D E R

The petitioner has filed this Writ Petition to call for the records pertaining to the impugned order in letter No.4975/Ma.A.Thi.1/2013-3, dated 03.05.2013, pending on the file of the 1st respondent and quash the same insofar as the

part of the order pertaining to the petitioners are concerned and issue an order or direction, directing the respondents to allot houses to the petitioners under the Chief Minister's Solar Powered Green House Scheme (CMSPGHS).

2. The learned counsel for the petitioners has submitted the petitioners were selected and they find place in the eligibility list of Rural Housing Scheme for the construction of Solar Powered Green Houses under Chief Minister's Solar Powered Green House Scheme, vide G.O.(Ms.)No.46, dated 17.08.2001, Annexure - A, para 5 of the Government Order. The petitioners 1 and 2 are agricultural coolies and the 3rd petitioner is a differently abled girl. In the said G.O., it is stipulated that special preference should be given to differently abled.

3. The learned Special Government Pleader appearing for the respondents has submitted that as per the mark to be awarded for selection under the said scheme, the petitioners were awarded marks of 22, 22, and 37 respectively. The petitioners' mark were not within the rank of selection, and hence they were not selected for the Chief Minister's Solar Powered Green House Scheme (CMSPGHS). When their turn comes as per the ranking, the petitioners name will be considered for the selection under the said scheme. The counsel for the petitioners also did not dispute the said fact.

4. In view of the above submissions of the parties, the respondents are directed to consider the petitioners' name for the construction of house under Chief Minister's Solar Powered Green House Scheme, as per the mark and if any preference shall be given, the same shall be considered.

5. The Writ Petition is disposed of with the above direction. No Costs.

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.ThePrincipal Secretary to Government,
Rural Development and panchayat,
Fort.St. George, Chennai.

2.The Commissioner,
Rural Development and Panchayat Raj Department,
Secretariat, Fort. St. George, Chennai.

3. The District Collector,
O/O The District Collector.
Thiruvannamalai, Thiruvannamalai District.

+lcc to Government Pleader, High Court,
Madras, SR. 6237.

W.P.No.18923 of 2013

NRI (CO)
VR(27/02/2017)



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