

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2018

CORAM

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

W.P.No.18941 of 2017

P.Jamela

... Petitioner

Versus

1.The District Collector,
Thiruvannamalai,
Thiruvannamalai District.

2.The Special Thasildhar,
Adi-Dravidar Welfare Department,
Thiruvannamalai,
Thiruvannamalai District.

3.The Block Development Officer,
Arani (West), Arani,
Thiruvannamalai District.

4.The President,
Kattukanallur Village Panchayat,
Arani Circle,
Thiruvannamalai District.

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 4th respondent to release the payment for the constructed house of the petitioner under the Indhira Memorial Housing Scheme within stipulated period.

For Petitioner : Mr.M.Sathish Kumar
For Respondents : Mrs.K.Bhuvaneswari,
Addl. Government Pleader
for Respondents 1 and 2

: Mr.R.Rajendar Malaisimhan for R-3

ORDER

This Writ Petition has been filed seeking for a direction directing the 4th respondent to release the payment for the house constructed by the petitioner under the Indhira Memorial Housing Scheme.

2. The grievance of the petitioner is that, earlier, the petitioner was assigned two cents of residential house sites. Subsequently, he was permitted to construct the residential house under the Indhira Memorial Housing Scheme and the local panchayat has also passed the resolution for sanctioning amount for the construction of the house. Now, the petitioner has constructed a house at the cost of Rs.1,20,000/- (Rupees one lakhs twenty thousand only). After the construction, the 3rd respondent has failed to reimburse the amount inspite of repeated requests.

3. Subsequently, he came to understand that the suit has been filed by the third party challenging the original allotment of house site to the petitioner. In view of the pendency of the suit, the 3rd respondent is refusing to release amount. Subsequently, the suit was dismissed. Now, it is submitted that the appeal filed against the order of dismissal in A.S.No.59 of 2015 on the file of Sub-Court, Arani was also dismissed. Despite the same, the amount is not paid to the petitioner. Hence, the petitioner has filed the present Writ Petition.

4. Earlier, notice was served on the respondents and the counsel appearing for the 2nd respondent, on instructions, submitted that now, the 3rd respondent will disburse the amount and seeks time for disbursing the amount.

5. Considering the fact that now, the respondents have come forward to disburse the amount due to the petitioner, the 3rd respondent is directed to disburse the amount payable to the petitioner within a period of twelve weeks from the date of receipt of the copy of this order.

6. With the above direction, the present Writ Petition stands allowed. No costs.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

rpp/vv2

To

1.The District Collector,
Thiruvannamalai,
Thiruvannamalai District.

2.The Special Thasildhar,
Adi-Dravidar Welfare Department,
Thiruvannamalai,
Thiruvannamalai District.

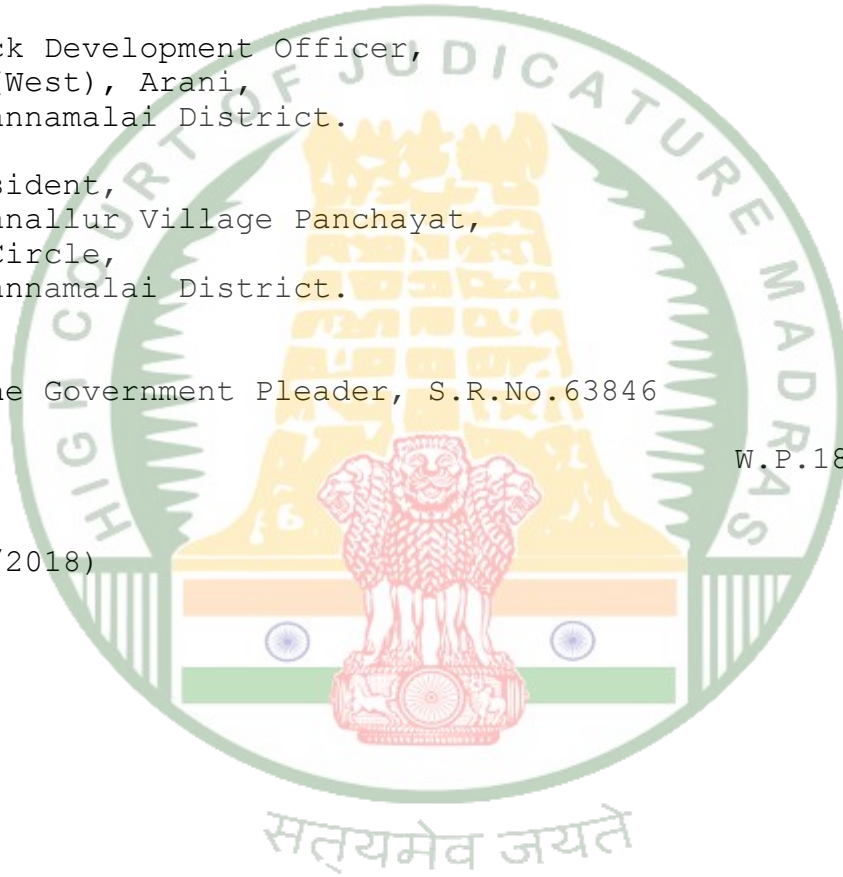
3.The Block Development Officer,
Arani (West), Arani,
Thiruvannamalai District.

4.The President,
Kattukanallur Village Panchayat,
Arani Circle,
Thiruvannamalai District.

+1cc to the Government Pleader, S.R.No.63846

W.P.18941 of 2017

GSP(17/10/2018)



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