

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.06.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.11518 of 2013
and
MP.No.1 of 2013

P.Gunasekaran Petitioner

Vs.

- 1.District Collector and President,
District Rural Development Agency,
Salem District, Salem.
 - 2.Additional Collector (Development)
District Rural Development Agency
Salem District, Salem.
 - 3.Block Development Officer,
Gangavalli Panchayat Union,
Gangavalli, Salem District.
 - 4.President,
Kondayampalli Village Panchayat,
Kondayampalli,
Gangavalli Panchayat Union, Salem District.
- ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus, directing the respondents 1 and 2 to re-allot the houses under the "Group Housing Scheme" and "Indira Ninaivu Kudiyiruppu Thittam (Indira Memorial Housing Scheme) according to the population of the village and select the beneficiaries to various villages in Gangavalli Panchayat Union, Salem District as per the guidelines issued by the Government.

For Petitioner : Mr.C.Vediappan
for M/s.C.S.Associates

For Respondents : Mr.N.Inbanathan,
Additional Government Pleader for R1 & R2
Mr.P.S.Sivashanmugasundaram, for R3 & R4

O R D E R

Heard Mr.C.Vediappan, learned counsel for the petitioner and Mr.N.Inbanathan, learned Additional Government Pleader appearing for the respondents 1 and 2 and Mr.P.S.Sivashanmugasundaram, learned counsel for the respondents 3 and 4 and perused the materials available on record.

2.The prayer sought for in this writ petition is to issue a direction to the respondents 1 and 2 to re-allot the houses under the "Group Housing Scheme" and "Indira Niniavu Kudiyruppu Thittam (Indira Memorial Housing Scheme) according to the population of the village and select the beneficiaries to various villages in Gangavalli Panchayat Union, Salem District.

3.The petitioner claims to be elected as a Ward Member of Kondayampalli Village, Salem District, in the year 2011. He would submit that the village has a population of 5000 and the Government had introduced "Group Housing Scheme" and an amount was allotted for constructing 2791 houses in Salem District.

4. The grievance of the petitioner is that the District Rural Development Agency, Salem, has decided to construct more houses in other villages, but they passed an order for constructing three houses alone in Kondayampalli village. Hence, he submitted a representation to the first respondent on 05.04.2013. Since no favourable order was passed, the present writ petition.

5.The learned counsel for the petitioner would submit that the total population in Kondayampalli Village is 5000 and the allotments were made to this village in an improper manner, since, the President of the village belongs to a rival political party.

6. The learned counsel for the respondents 1 and 2 would submit that the scheme was floated in the year 2013 and the construction of houses were already completed and the prayer sought for in this writ petition is become infructuous.

7. In reply, the learned counsel for the petitioner submitted that atleast in future, the respondents can consider the grievance of the petitioner.

8. In the light of the above facts and the submissions made by the learned counsel on either side, this Court directs the first respondent to consider the representation of the petitioner, if any scheme is floated in future for construction of houses under "Group Housing Scheme" and "Indira Niniavu Kudiyruppu Thittam (Indira Memorial Housing

Scheme) in Salem District.

9. With the above direction, this writ petition is disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(co)

//True Copy//

Sub Assistant Registrar

ms

- 1.The District Collector and President,
District Rural Development Agency,
Salem District, Salem.
- 2.The Additional Collector (Development)
District Rural Development Agency
Salem District, Salem.
- 3.The Block Development Officer,
Gangavalli Panchayat Union,
Gangavalli, Salem District.
- 4.President,
Kondayampalli Village Panchayat,
Kondayampalli,
Gangavalli Panchayat Union, Salem District.

+1cc to M/s.C.S.Associates, SR.No.37427
+1cc to Special Government Pleader sR.No.37876

SVN(CO)
sm:2.7.2018

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