

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-01-2019

CORAM

THE HON'BLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No.22721 of 2004

1.Pownammal
2.Sumathi
3.Malliga

...Petitioners

Vs

1.District Collector,
Vellore,
Vellore District.

2.The Revenue Divisional Officer,
Vellore.

3.The Tahsildar,
Vellore.

4.Arumugam

5.Munuswamy

6.Sigamani

7.Swaminathan

8.Selvam

9.Sakunthala

सत्यमेव जयते... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records in Na.Ka.No.P1/33535/2005 dated 21.6.2005 from the file of the first respondent and to quash the same directing the first respondent to resume 35 Plots, Plot Nos.15, 23, 25, 28, 39, 42, 43, 52, 85, 87, 99, 109, 110, 114, 116, 122, 125, 126, 128, 136, 139, 141, 148, 151, 154, 164, 165, 174, 177, 184, 185, 188, 189, 197 and 199 plots as shown in the plan attached in S.No.153 Rifle Range Poramboke at Palavansathukuppam Village, Vellore District and to re-allot the said 35 plots to the members of Sri Saraswathi Devi Women Self Employment at Palavansathukuppam Village.

For Petitioners : Ms.R.T.Sundari

For Respondents-1to3 : Mr.G.B.Rajesh,
Government Advocate.

For Respondents-4,6,8&9 : No Appearance

For Respondents-5&7 : Dismissed vide Court
order dated 31.10.2008.

O R D E R

The order passed by the District Collector, rejecting the claim of the writ petitioners for grant of patta for housesites, is under challenge in the present writ petition.

2. The grievances of the writ petitioners are that the Government formulated a Scheme for grant of patta to the poor landless people. While implementing the scheme, two pattas are granted in favour of one person in many places and the authorities had committed certain irregularities and illegalities in respect of grant free house site to the poor landless people. Therefore, the writ petitioners lost their opportunity to get patta for construction of residential houses for their living.

3. This Court is of the considered opinion that the Government Scheme for grant of patta for poor landless people must be implemented uniformly and by considering all the eligible persons, who all are seeking such patta in that locality. There cannot be any discrimination or violation of the terms conditions in respect of the implementation of the Welfare Schemes. However, patta cannot be granted at the choice of the applicant. In the event of implementation of any Government Schemes, then the cases of all the eligible persons are to be considered and accordingly the patta can be granted for the purpose of constructing the house as per the terms and conditions stipulated in the Government policies.

4. The learned counsel for the writ petitioners states that two house site pattas are granted for the one beneficiary and they are all implemented as respondents 4 to 9. Under these circumstances, the first respondent/District Collector is directed to verify the details of the patta granted in favour of the respondents 4 to 9 and if any illegality or irregularity is found, then initiate appropriate action by following the procedures contemplated under law.

5. As far as the claim of the writ petitioners for grant of patta is concerned, the same cannot be claimed as a matter of right and in the event of implementing any Government Schemes, the case of the writ petitioners shall also be considered along with all other eligible persons, strictly in accordance with the terms and conditions of the Scheme.

6. With the above observations, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Svn

To

1.District Collector,
Vellore,
Vellore District.

2.The Revenue Divisional Officer,
Vellore.

3.The Tahsildar,
Vellore.

+1 cc to the Government Pleader, S.R.No.8185

KJI (CO)
SSM(19/02/2019)

WP No.22721 of 2005

सत्यमेव जयते

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