

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.09.2020

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.12074 of 2020

Krishnammal

... Petitioner

-Vs-

- 1.The Secretary to Government
of Tamil Nadu Rural Development and
Panchayat Raj Department St. Fort. George
Chennai - 600009
- 2.The Director of Rural Development
and Panchayat Department, Saidapetai
Chennai - 600015
- 3.The Joint Director / Scheme Director
(Chief Minister's Solar Powered Green House
Scheme), District Rural Development Department
Thiruvannamalai Region.
- 4.The District Collector of Thiruvannamalai
Office of the Collectorate
Thiruvannamalai
- 5.The District Revenue Officer, Thiruvannamalai
- 6.The Revenue Divisional officer, Thiruvannamalai
- 7.The Thasildhar, Thiruvannamalai
- 8.The Block Development Officer
Thiruvannamalai Panchayat Union
Thiruvannamalai.

... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 8th respondent to sanction and issue work order to construct Greenhouse at the cost of the government under Chief Minister's Solar powered Green House Scheme on priority basis for construction of new Green house in the petitioner's patta

Page numbers

land bearing Patta No. 2345 Natham S.No. 262/7 an extent of 2.25 cents Vengaikkal Village Thiruvannamalai Taluk and District.

For Petitioner : Mr.V.Raghupathy
For Respondents : Mr.E.Balamurugan,
Special Government Pleader

O R D E R

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the eighth respondent to sanction and issue Work Order to the petitioner to enable the petitioner to construct a green house under the Chief Minister's Solar Powered Green House Scheme.

2. It is seen from the records that the husband of the petitioner was a Freedom Fighter and he expired on 14.12.1995. The District Collector, Thiruvannamalai, by proceedings dated 01.03.2017 directed the issuance of Patta with regard to the subject property. The petitioner was eagerly expecting for the allotment of land and for the issuance of Patta. Ultimately, the fifth and seventh respondents issued Patta in favour of the petitioner in Patta No.2345.

3. Thereafter the fourth respondent by proceedings dated 09.11.2018 ordered that sanction must be granted to the petitioner to construct a green house at the cost of the Government. It was directed to give priority to the petitioner since she belongs to the family of a Freedom Fighter. It is also seen from records that the seventh respondent by his letter dated 30.09.2019, confirmed the Patta in favour of the petitioner and directed the petitioner to approach the concerned authority to get the green house under the Chief Minister's Solar Powered Green House Scheme.

4. The petitioner made a representation dated 17.03.2020 to the eighth respondent seeking for sanction for construction of the green house for the land that was allotted in favour of the petitioner. Since the same was not considered, the present writ petition has been filed before this Court for appropriate direction.

5. Heard Mr.V.Raghupathy, learned counsel for the petitioner and Mr.E.Balamurugan, learned Special Government Pleader appearing for the respondents. Learned Special Government Pleader appearing on behalf of the respondents

Page numbers

submitted that the application given by the petitioner seeking for sanction to construct a green house was received at the fag end of the Financial Year 2019-20 and therefore the fund was not allotted in favour of the petitioner. The learned counsel submitted that the petitioner will be considered for allotment on a priority basis immediately on sanction given during the Financial Year 2020-21. The written instructions received by the learned Special Government Pleader along with all the relevant documents was also sent through Email and perused by this Court.

6. Taking into consideration the facts and circumstances of the case, the age of the petitioner and also of the fact that there is no dispute with regard to the entitlement of the petitioner to get priority to construct the green house at the cost of the Government, there shall be a direction to the eighth respondent to grant sanction and issue appropriate Work Order to the petitioner within a period of eight weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the eighth respondent along with a copy of this order.

7. This Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

KST

To

- 1.The Secretary to Government
of Tamil Nadu Rural Development and
Panchayat Raj Department St. Fort. George
Chennai - 600009
- 2.The Director of Rural Development
and Panchayat Department, Saidapetai
Chennai - 600015
- 3.The Joint Director / Scheme Director
(Chief Minister's Solar Powered Green House
Scheme), District Rural Development Department
Thiruvannamalai Region.

Page numbers

4.The District Collector of Thiruvannamalai
Office of the Collectorate
Thiruvannamalai

5.The District Revenue Officer
Thiruvannamalai

6.The Revenue Divisional officer
Thiruvannamalai

7.The Thasildhar
Thiruvannamalai

8.The Block Development Officer
Thiruvannamalai Panchayat Union
Thiruvannamalai.

+1cc to M/s.V.Raghupathi, Advocate SR.29224

W.P.No.12074 of 2020

AK(CO)
CB(19/10/2020)



WEB COPY

Page numbers