

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2021

CORAM: JUSTICE N.SESHASAYEE

WP.No.1292 of 2021
& WMP.Nos.1437 & 1438 of 2021

Vijayasekar

...Petitioner

-Vs-

1.The Union of India,
by the Government of Puducherry,
Through the Chief Secretary to Government,
Chief Secretariat, Puducherry.

2.The District Collector,
Department of Revenue and Disaster Management,
Collectorate, Puducherry

3.The Director,
Department of Survey and Land Records,
Puducherry

4.The Deputy Director,
Department of Adi-Dravidar and Tribal Welfare,
Thattanchavady,
Puducherry

5.The Thasildar,
Revenue Department,
Villianur,
Puducherry

6.The Commissioner,
Villianur Commune Panchayat,
Villianur, Puducherry.

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the third respondent impugned select list prepared with No.nil dated 15.10.2020 for non-inclusion of the petitioner's name and to quash the same and consequently to direct the respondents to consider the application given by the petitioner dated 01.02.2018 for the proposed grant of Free Manai patta at Koodapakkam Village, Puducherry on merit and to direct the third respondent to allot and handover one free plot to the petitioner.

For Petitioner : Mr.L.Prabakaran
For Respondents : Mr.D.Ravichandar
Additional Government Pleader(P)

ORDER

This petition is filed by the petitioner seeking for issuance of a Writ of Certiorarified Mandamus to call for the records of the third respondent in regard to the impugned select list prepared with No.nil dated 15.10.2020 for non-inclusion of the petitioner's name and to quash the same and consequently, direct the respondents to consider the application dated 01.02.2018 given by the petitioner for the proposed grant of Free Manai patta at Koodapakkam Village, Puducherry on merit and to direct the third respondent to allot and handover one free plot to the petitioner.

2. The petitioner has approached this Court by alleging that his name has been short listed for assignment of free house site by the Committee convened by the third respondent vide his proceedings dated 29.11.2019.

3.His further allegation is that subsequently, by another proceedings dated 15.10.2020, an another list was prepared, in which, his name was dropped alleging mala fide in the matter. The petitioner has approached this Court for issuance of a Writ of Certiorari to quash the second mentioned list dated 15.10.2020 and seeking a Mandamus that his name be included in the list.

4.Mr.D.Ravichander, learned Additional Government Pleader takes notice for the respondents and made a statement on instructions, that the list prepared on 15.10.2020 was only a draft list and not a final list and that the name of the petitioner is under serious consideration. He added in the lay out developed and there are few electric posts in some of the Plots and they had to be refuted and hence, some time will be required for the purpose.

5.The said statement of the learned Additional Government Pleader is recorded.

6.Since it appears that the list of addresses of the free house sites have not yet been finalized and there is no basis for the apprehension expressed by the petitioner. If at all the petitioner obtains any fresh cause of action based on the final list, he will be at liberty to approach this Court.

7.The Writ Petition is disposed of accordingly. No costs.
Consequently, connected miscellaneous petitions are closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

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+1 CC to Mr.L.Prabakaran, Advocate sr 6058.
+1 Cc to The Government Pleader(Puducherry) sr 5503.

W.P.No.1292 of 2021

SR II (CO)
SP(25/03/2021)