



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. No. 12276 of 2020

Sarasal

.. Petitioner

Versus

1. The Secretary to Government
Adidravida Welfare Department
Fort St. George
Chennai - 600 009.
2. The District Collector,
Erode District, Erode.
3. The Special Tahsildar,
Adidravida Welfare Department,
Erode.
4. The President,
Perodu Panchayat,
Erode District.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the first respondent to hand over possession of the house in R.S.No.283/2, Site No.87, K.J.Nagar, Perodu Village, Erode Taluk, Erode based on the petitioner's representation dated 14.08.2020.

For Petitioner	:	Mr. M. Selvam
For R1 to R3	:	Mr.Stalin Abimanyu Government Advocate
For R4	:	No appearance

ORDER

The relief sought for in this writ petition is to direct the first respondent to consider the petitioner's representation dated 14.08.2020 and to hand over possession of the house in



R.S.No.283/2, Site No.87, K.J.Nagar, Perodu Village, Erode Taluk, Erode to her.

2. According to the petitioner, she belongs to Adi Dravidar Community and she is a widow. In the year 2000, the Government of Tamil Nadu had taken a policy decision to provide housing plot or site to poor and landless Adi Dravidar community. As per the aforesaid scheme, the petitioner was allotted a plot in the layout site No.87 measuring 3 cents in R.S.No.283/2 which she took possession of and put up a hut thereon. The petitioner also paid all the revenue dues and property taxes to the Government. Thereafter, in the year 2018, on the representation of the respondents that a new house will be built in the plot allotted to her, the petitioner temporarily vacated the property to facilitate the respondents to put up a construction. Accordingly, a new house was constructed and it was ready for delivery, but the respondents are not handing over the same to the petitioner. The representation dated 14.08.2020 submitted to the respondents to hand over the house to her was not considered till date, hence, she has filed this writ petition.

3. Today, when the writ petition is taken up for hearing, the learned counsel for the petitioner submitted that it would suffice, if the petitioner's representation dated 14.08.2020 is directed to be considered by the second respondent, on merits, within a reasonable time to be fixed by this Court, for which, the learned Government Advocate appearing for the respondents 1 to 3 has no serious objection.

4. Having regard to the limited relief now sought by the learned counsel for the petitioner, this Court directs the second respondent to consider the petitioner's representation dated 14.08.2020, afford an opportunity of hearing to the petitioner and pass appropriate orders, on merits and in accordance with law, within a period six weeks from the date of receipt of a copy of this order.

5. This Writ Petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(CS-III)

// True Copy//

Sub Assistant Registrar

av/rsh



To

1. The Secretary to Government,
Adi Dravida Welfare Department,
Fort St. George, Chennai - 600 009.

2. The District Collector,
Erode District, Erode.

3. The Special Tahsildar,
Adidravida Welfare Department,
Erode.

4. The President,
Perodu Panchayat,
Erode District.

+1cc to the Government Pleader, S.R.No.34335

WP No.12276 of 2020

PMK(CO)
SU(08/09/2021)