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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2021

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.17292 of 2021

Sathiya Jeevan Lepresy and
Handicapped New Life Association,
Rep.by its president S.C.T.Rajan,
M.G.R.Nagar, Parvathipuram,
Gudiyattam R.S.-638 803,
Gudiyattam Taluk,
Vellore District.

...Petitioner

Vs

1. The State of Tamilnadu rep.by its
Secretary to Government,
Welfare of Differently Abled Persons,
Department, Secretariat,
Chennai - 600 009.
2. The State Commissioner for the
Differently abled,
Lady Wellington College Compound,
Kamarajar Salai, Chennai - 600 005.
3. The District Collector,
Collector Office, Vellore District,
Vellore - 9.
4. The Tahsildar,
Gudiyattam Taluk, Vellore District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the respondents to construct 100 houses to accommodate the leprosy affected and physically disabled persons who are poor and houseless living in and around Gudiyatham Taluk, who are the members of the petitioner Association, by considering the petitioner's representations dated 07.10.2020 and 20.04.2021.

For Petitioner : Mr.N.Manokaran
For Respondents : Mr.Stalin Abhimanyu,
Government Counsel



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ORDER

Mr. Stalin Abhimanyu, learned Government Counsel takes notice for the respondents. With the consent of both sides, this writ petition is taken up for final disposal at the admission stage itself.

2. The prayer made in this writ petition is to direct the respondents to construct 100 houses to accommodate the leprosy affected and physically disabled persons, who are poor and houseless living in and around Gudiyatham Taluk, by considering the petitioner's representations dated 07.10.2020 and 20.04.2021.

3. According to the petitioner, it is an Association registered under the Tamil Nadu Societies Registration Act, 1975 and it has been functioning for the protection and welfare of the leprosy affected people in the State, besides helping the physically disabled people. The Government as a welfare measure, framed a policy decision to support the persons affected with leprosy and also physically challenged, by providing a monetary support. This Court by order dated 25.10.2017 in WP.No.27294 of 2017, directed the respondent to consider the petitioner's representation and pass orders, to credit the monetary support provided by the Government directly to the beneficiaries' respective bank accounts. When the things stood thus, the petitioner submitted a representation dated 07.10.2020 to the respondents 2 and 3 to construct 100 houses for the poor, leprosy affected, and physically disabled members of the Association in and around Gudiyatham Taluk who are without any permanent shelter. On receipt of the same, the third respondent forwarded the petitioner's representation to the fourth respondent, but no action was taken till date. Therefore, the petitioner Association sent a reminder on 20.04.2021 to the second respondent, who by letter in Na.Ka.No.3312/PHW.2.1/2021 dated 13.07.2021, recommended it for consideration of the third respondent. Even thereafter, nothing moved, which compelled the petitioner to come forward with this writ petition for the aforesaid relief.

4. Heard both sides and perused the materials placed before this Court.

5. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the respondents to consider the petitioner's representations dated 07.10.2020 and 20.04.2021 and pass appropriate orders, on merits and in accordance with law and also in the light of the communication of the second respondent in Na.Ka.No.3312/PHW.2.1/2021 dated 13.07.2021 addressed to the third respondent, within a period of four (4) weeks from the date of receipt of a copy of this order.



6. The Writ Petition is disposed of with the above directions. No costs.

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Sd/-
Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar

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To

1. The Secretary to Government,
Welfare of Differently Abled Persons,
Department, Secretariat,
Chennai - 600 009.
2. The State Commissioner for the
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Lady Wellington College Compound,
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4. The Tahsildar,
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Vellore District.

+1CC to M/s.N.Manokaran, Advocate, SR.No. 41643
+1CC to The Government Pleader, SR.No. 42053

W.P.No.17292 of 2021

KK(CO)
B.VC (29/09/2021)