



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :23.12.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.4154 of 2016

Soundaravalli

...Petitioner

Vs.

1. The Union of India represented by the  
Revenue Secretary-cum-Collector,  
Government of Union Territory of Puducherry,  
Puducherry.
2. The Inspector General of Police,  
Puducherry.
3. The Director of Fisheries,  
Puducherry.
4. The Revenue Officer,  
Department of Revenue & Disaster Management,  
Government of Puducherry,  
Puducherry.

...Respondents

PRAYER: Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records on the file of the fourth respondent relating to the impugned order dated 17/10/2013 bearing ref: No. 4031/SS/RO/D5/2013 and quash the same and consequently direct the respondent to allot Tsunami Relief House and other benefits to the petitioner.

For Petitioner : M/s.L.Poompavai

For Respondents: Mr.J.Kumaran  
Additional Government Pleader  
[Puducherry][For R1to R4]

ORDER

The order dated 17.10.2013 is under challenge in the present writ petition and a directions is sought for allot Tsunami Relief House.

2. The petitioner states that she is the wife of one Mr.Elumalai, originally a Fisherman in the Solai Nagar fishing



hamlet. They were living in the house in Hut No.04/4, Soali Nagar North, Puducherry and it was recognized by the Puducherry Slum Clearance Board. The petitioner states that the hut affected due to Tsunami and she made an application for compensation under the Relief Scheme. The respondents reiterated the same. Thus, the petitioner is constrained to move the present writ petition.

3. The learned Additional Government Pleader (Puducherry) appearing on behalf of the respondents made a submission that the petitioner is not eligible to avail the benefit of the Scheme for allotment of a Tsunami house. Pursuant to the directions issued by the High Court of Madras in W.P.No.36196 of 2007, the writ petitioner was directed to submit the documents on 05.05.2005. But the petitioner neither submitted the documents nor approached the concerned officials with regard to the said information. The respondents conducted a field enquiry and found that the petitioner had resided at Ward-A, Block 15, T.S.No.31 Government Poramboke (Sea shore) at Soali Nagar by constructing a thatched hut. During the year 2000, petitioner had vacated the house from Solai Nagar and shifted to Vaithikuppam area i.e., prior to the occurrence of Tsunami. At the time of Tsunami, the petitioner had resided at No.90, Pillaiyar Koil Street, Vaithikuppam on monthly rental basis in the house, which belonged to Tmt.Jothi, W/o. Pavadai @ Selvam. The said house was located beyond 200 metres from the sea shore and not affected by Tsunami. Based on this fact, the claim of the petitioner was rejected.

4. This Court is of the considered opinion that a field enquiry was conducted and the petitioner was also provided with an opportunity to submit the documents and plead her case. In view of the fact that the petitioner did not appear before the authorities nor submitted any documents, the authorities conducted a field inspection, which revealed that the petitioner was not affected by Tsunami and therefore, she is not entitled for the benefit of the Scheme.

5. This being the factum, the petitioner has not established any acceptable ground for the purpose of considering the relief and consequently, the writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The Revenue Secretary-cum-Collector,  
Government of Union Territory of Puducherry,  
Puducherry.

2. The Inspector General of Police,  
Puducherry.

3. The Director of Fisheries,  
Puducherry.

4. The Revenue Officer,  
Department of Revenue & Disaster Management,  
Government of Puducherry, Puducherry.

+1cc to the Government Pleader, S.R.No.129

W.P.No.4154 of 2016

SR(CO)  
RGA(11/01/2022)