



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.04.2021

CORAM

THE HONOURABLE MR.JUSTICE R. MAHADEVAN

W.P.No.22290 of 2019 &
WMP.No.21592 of 2019

Lakshmiammal

... Petitioner

Vs.

The State by:

1.The District Collector,
Sathuvachari, Vellore, Vellore District.

2.The Block Development Officer,
Nemili Block, Vellore District.

3.The Tahsildar,
Nemili Taluk Office,
Vellore District.

4.M.Soundarraaj,
Bajanai Koil Street,
Old Colony, Parameswaramangalam,
Kadambanallur Post,
Arakkonam Taluk, Vellore District.

5.Selvi,
Bajanai Koil Street,
Old Colony, Parameswaramangalam,
Kadambanallur Post,
Arakkonam Taluk, Vellore District

... Respondents

Prayer: Writ Petition filed under Section 226 of Constitution of India praying for issuance of Writ of Mandamus directing the 2nd respondent to consider the petitioner representation dated 27.6.2019 in respect of cancelling the sanctioned houses through the government group house scheme to the 4th and 5th respondents in the petitioner property in survey No.225/4, measuring of 0.89 cents at Parameswaramangalam, Arakkonam Taluk, Vellore District.

For Petitioner : Mr.C.Chokkalingam

For Respondents: Mr.J. Ramesh, Addl. Govt. Pleader
for R1 & R3
Mrs.S.Priyanka for R2



WEB COPY

O R D E R

Seeking a mandamus to the second respondent for disposal of the petitioner's representation dated 27.06.2019 for cancellation of the allotment of houses sanctioned through the Government Group House Scheme in favour of 4th and 5th respondents, the petitioner has approached this Court with this writ petition.

2. According to the petitioner, the property in Survey No.225/4, measuring to an total extent of 1.24 acres at Parameswaramangalam, Arakkonam Taluk, Vellore District was originally purchased by her father on 25.03.1975 and after his demise, she has been in continuous possession and enjoyment of the same, till date. While so, some third parties tried to disturb her possession, which compelled her to file OS.No.105/2012 before the District Munsif Court, Arakkonam and obtained a decree in her favour. It is the grievance of the petitioner that the 2nd respondent has sanctioned houses to the 4th and 5th respondents under the Government Group House Scheme, who in turn, started to construct houses in the property of the petitioner. Hence, she made a representation dated 27.06.2019 to the second respondent, a copy of which is also addressed to the respondents 1 and 3. Finding no response on the same, the petitioner is before this Court with the present writ petition.

3. Upon notice, the respondent authorities filed a detailed counter affidavit, wherein, it is inter alia, stated as follows:

"4. I submit that upon receiving the petitioner's representation, I appointed the Deputy Block Development Officer to enquire in to the same.

5. I further submit that consequent to the Enquiry Officer's report, I have immediately informed the Union Overseer to stop the Geo Tag and to stop further payment to the 5th Respondent vide RCA3/1451/2016 dated 30.07.2019.

6. I further submit that the petitioner's representation has been duly considered and effective administrative action is being taken. Hence, the Writ Petition is liable to be dismissed."

4. In the light of the averment so made in the counter affidavit filed by the respondent authorities, this Court is of the opinion that no further order needs to be passed herein. Therefore, recording the same, the Writ Petition stands closed. No costs. Consequently, the connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar



msr

To

1.The District Collector,
Sathuvachari, Vellore, Vellore District.

2.The Block Development Officer,
Nemili Block, Vellore District.

3.The Tahsildar,
Nemili Taluk Office,
Vellore District.

+1 cc to Government Pleader Sr.No. 24691

W.P.No.22290 of 2019 &
WMP.No. 21592 of 2019

UM(CO)
B.VC(26.07.2021)