



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.11652 of 2021

Arumugam

... Petitioner

Vs.

1.The District Collector,
Collectorate Complex,
Tiruchirappalli,
Tiruchirappalli District.

2.The District Revenue Officer,
Collectorate Complex,
Tiruchirappalli,
Tiruchirappalli District.

3.The District Backward and Minority Welfare Officer,
Collectorate Complex,
Tiruchirappalli,
Tiruchirappalli District.

4.The Revenue Divisional Officer,
Vannarkoil,
Tiruchirappalli,
Tiruchirappalli District.

5.The Tahsildar,
Taluk Office,
Manapparai,
Tiruchirappalli District.

... Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the impugned order Na.Ka.AA3/27162/2019, dated 20.03.2020 passed by the first respondent and quash the same and consequently directing the respondents to issue patta to the needy homeless persons.

For Petitioner : Mr.R.Murugappan

For Respondents : Mr.M.Lingadurai
Government Advocate



ORDER

The subject matter of challenge in the present writ petition is the impugned proceedings of the first respondent, dated 20.03.2020 and for a consequential direction to the respondents to issue patta to the petitioner and to other needy persons, who claim to be homeless.

2. The case of the petitioner is that he belongs to the Most Backward Community and he is a Barber by profession. The further case of the petitioner is that the representations were made to the first respondent for issuing Free House Site Patta to the petitioner and others. A writ petition was also filed before this Court in W.P (MD)No.18346 of 2019 and this Court disposed of the writ petition by directing the first respondent to consider the representation made by the petitioner.

3. Pursuant to the orders passed by this Court, the first respondent has passed the impugned order, dated 20.03.2020. Aggrieved by the same, present writ petition has been filed before this Court.

4. Heard Mr.R.Murugappan, learned counsel appearing for the petitioner and Mr.M.Lingadurai, learned Government Advocate appearing for the respondents.

5. This Court has carefully gone through the order passed by the first respondent. The first respondent while passing the order had taken note of the report submitted by the Revenue Authorities and found that the petitioner and 77 others had claimed Free House Site Patta. Out of these persons, the first respondent has found that there are only two persons, who are eligible to get the Free House Site Patta and all the others do not fall within the eligibility criteria. The first respondent has given sufficient reasons in the impugned order.

6. In the considered view of this Court, this Court does not find any ground to interfere with the impugned order passed by the first respondent. Issuance of Free House Site Patta is not a matter of right and it is a benefit that is conferred by the State under a Scheme and the persons who are claiming under the Scheme have to fulfill the criteria that has been prescribed under the scheme. The first respondent has found that except two, none of the others, are fulfilling the criteria and therefore, has refused to issue Free House Site Patta.

7. This Court does not find any illegality or infirmity in the order passed by the first respondent and it does not require the interference of this Court.



8. In the result, the writ petition is dismissed. No costs.

Sd/-

Assistant Registrar(CS-I)

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/ /2021

Sub Assistant Registrar(CS)

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NOTE:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The District Collector,
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Tiruchirappalli District.

2.The District Revenue Officer,
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4.The Revenue Divisional Officer,
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Tiruchirappalli District.

5.The Tahsildar, Taluk Office,
Manapparai, Tiruchirappalli District.

+1 CC to M/s.SPL GP (SR-22556[F] dated 14/07/2021)

Order made in

W.P. (MD) .No.11652 of 2021

13.07.2021

pm (CO)

TR(20.07.2021) 3P 7C