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W.P.No.9960 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.11.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.9960 of 2016 and
W.M.P.No.9000 of 2016

1. M.Dhanakodi
2. Ranjitha
3. Vellaiyammal
4. Muthulakshmi
5. Kannammal
6. Banu Priya
7. Ayyammal

... Petitioners

VS.

1. The District Collector,
Collectorate,
Ariyalur.
2. The Tahsildar,
Ariyalur Taluk,
Ariyalur District.
3. Menaka
4. Anjugam
5. Kolanji



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6. Kumari

7. Malar

8. Lakshmi

9. Santhi

C/o.Maduraiveeran

10. Santhi

C/o.Murugesan

11. Chinnaponnu

12. Marudhayee

13. Sumathi

14. Muniammal

15. Maruddambal

16. Rajeshwari

17. Shanthi

18. Selvakumari

19. Arutchelvi

20. Rajalakshmi

21. Panneerselvam

22. Mariammal



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23. Rajamani

24. Amsa

25. Selvarani

26. Selvamani

27. Dhanalakshmi

28. Saraswathi

29. Lakshmi

30. Manjula

31. Lakshmi

32. Vellaiammal

33. Poongavanam

34. Malathi

35. Sathiya

36. Ilakkiya

37. Latha

38. Megala

39. Sulochana

40. Malathi

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41. Suseela

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42. Nallammal

43. Kanmani

44. Chellamma

45. Megala

46. Annakodi

47. Muniammal

48. Chinnaponnu

49. Amudha

50. Valarmathi

51. Vellaiammal

52. Nagalakshmi

53. Pennarasi

54. Ponnammal

55. Pitchammal

56. Geetha

57. Selvi

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58. Mary

... Respondents

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 first respondent in connection with the order passed by him in his Proc.Na.Ka.Aa2/8622/2015 dated 11.12.15 and quash the same and direct the respondents to consider the case of the petitioners for the allotment of the house site as done in the case of the respondents 3 to 58 in whose favour allotment is made by the respondents in the Survey number.252 & 270 in Vellure Village and Post, Ariyalur Taluk and District and allot the house site to the petitioners.

For Petitioner : M/s.P.A.Arvinth Viveks for
M/sM.Srividhya

For R1 and R2 : Mr.U.Bharanidharan
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Certiorarified Mandamus to quash the proceedings of the first respondent dated 11.12.15 and direct the respondents to consider the case of the petitioners for the allotment of the house site as done in the case of the respondents 3 to 58 in whose favour allotment is made by the respondents in



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the S.Nos.252 & 270 in Vellure Village and Post, Ariyalur Taluk and District and allot the house site to the petitioners.

2. It is the case of the petitioners that they are landless and houseless poor. While so, the petitioners made several requests before the respondents 1 and 2 for allotment of free house site, but their requests remained unanswered. Hence, the petitioners filed a Writ Petition in W.P.No.30737 of 2012 wherein, this Court *vide* order dated 14.08.2015 directed the first respondent to consider the petitioners representation dated 05.11.2012, pursuant to which, the first respondent passed the impugned order dated 11.12.2015, rejecting the claims of the petitioners citing that all the petitioners and their husbands have house site Pattas in their own Village. Challenging the said order dated 11.12.2015, the present Writ Petition has been filed seeking the aforesaid relief.

3. Learned counsel appearing for the petitioners submits that as the first respondent specified the survey numbers owned by the petitioners and their husbands in the impugned order, at the time of arguments he restricted his



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prayer and submitted that it would suffice if this Court, grants liberty to other eligible persons of the petitioners family to make an appropriate application before the Revenue Officials for issuance of free house site Patta.

4. Learned Additional Government Pleader appearing for the respondents 1 and 2 submitted that pursuant to the order passed by this Court in W.P.No.30737 of 2012 *vide* order dated 11.12.2015, the first respondent rejected the petitioners claim *vide* order on the ground that they are not entitled to get free house Patta as per the condition laid down in the Revenue Standing Order No.21 and as per G.O.Ms.No.506, Revenue R.Dis3(1) Department dated 26.11.2002. Hence, he prayed for dismissal of the present Writ Petition.

5. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

6. A perusal of the entire records reveal that the petitioners made representations before the Revenue officials seeking free house site Patta and



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their claims were rejected by the first respondent *vide* impugned order dated

11.12.2015 stating that the petitioners and their husbands possess house site

Patta in their own Village. Since, the petitioners have not satisfied the

eligibility criteria for issuance of free house site Patta, the impugned order

insofar as the petitioners cannot be interfered with however, this Court,

without interfering with the order impugned, is inclined to grant liberty to the

eligible persons of the petitioners family to make a fresh application before

the Revenue Officials for issuance of free house site Patta as per

G.O.Ms.No.506, Revenue R.Dis3(1) Department dated 26.11.2002, if they

are otherwise eligible.

7. Accordingly, with the above observation and directions, this Writ
Petition is dismissed. No costs. Consequently connected miscellaneous
petition is closed.

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RAP

Index : Yes/No

Speaking order : Yes/No



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To:

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Collectorate,
Ariyalur.
2. The Tahsildar,
Ariyalur Taluk,
Ariyalur District.



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M.DHANDAPANI, J.

RAP

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