



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.06.2022**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P. (MD) .No.11466 of 2011

and

M.P. (MD) .No.2 of 2011

R.Subbulakshmi

... Petitioner

Vs.

- 1.The District Collector,
Virudhunagar District,
Virudhunagar.
- 2.The Project Officer,
District Rural Development Agency,
Virudhunagar District,
Virudhunagar.
- 3.Thasildar,
Sivakasi Taluk,
Sivakasi,
Virudhunagar District.
- 4.The Block Development Officer,
Vembakkottai Panchayat Union,
Sivakasi Taluk,
Virudhunagar District.
- 5.The President,
Keezhanmarainadau Panchayat,
Vembakkottai Panchayat Union,
Sivakasi Taluk, Virudhunagar District.

6.Muthuraj

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned allotment order, dated Nil passed by the respondent Nos.2 to 5 herein in respect of allotment of houses to the sixth respondent as Periyar Memorial Samathuvapuram in Keezhanmaraimnadu Panchayat, Vembakkottai Union, Sivakasi Taluk, Virudhunagar District, quash the same and consequently direct the respondents herein to allot a house to the petitioner in the said Samathuvapuram.



WEB COPY

For Petitioner : Mr.P.Arunjeya Ram
for M/s.Damodaran

For R-1 to R-3 : Mr.D.SasiKumar
Additional Government Pleader
For R-4 & R-5 : Mr.A.MuthuKaruppan
For R-6 : Mr.T.Selvan(Legal Aid Counsel)

ORDER

The Writ Petition has been filed challenging an order of allotment of houses constructed in Samathuvapuram. The writ petitioner has restricted his prayer with regard to the allotment of house in favour of the sixth respondent alone. The petitioner has further prayed that he is also an eligible person and hence, a house should be allotted to him in the said Samathuvapuram.

2. A perusal of the writ affidavit shows that though a prayer has been sought for specifically as against the sixth respondent, there are no allegations as against the sixth respondent for cancelling the allotment made in his favour. Further, though the petitioner has contended that the selection list prepared by the committee has not been approved by the District Collector, counter filed by the fourth respondent indicates that the selection list was already approved by the District Collector and thereafter, the possession was handed over to the beneficiaries. The fourth respondent in his counter has further pointed out that the petitioner has not even made an application for allotment of a house in the Samathuvapuram. The application, dated 22.10.2010 found in the typed set of papers is not supported by any document to show that it was actually made to the Village Panchayat or sent by post.

3. In view of the above said circumstances, I do not find any reason to interfere in the allotment order issued by the statutory authorities in favour of the beneficiaries. Hence, the Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



btr

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,
Virudhunagar District,
Virudhunagar.
- 2.The Project Officer,
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Virudhunagar District,
Virudhunagar.
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Sivakasi Taluk,
Sivakasi,
Virudhunagar District.
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Sivakasi Taluk,
Virudhunagar District.
- 5.The President,
Keezhanmarainadau Panchayat,
Vembakkottai Panchayat Union,
Sivakasi Taluk, Virudhunagar District.

+1 CC to M/s.T.SELVAN, Advocate (SR-24446[F] dated 07/06/2022)

+1 CC to M/s.SPL.GP (SR-24611[F] dated 08/06/2022)

Order made in
W.P. (MD) .No.11466 of 2011
07.06.2022

=SS(14/06/2022) 3P 8C