



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE PARESH UPADHYAY

and

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P(MD)No. 17486 of 2020

and W.M.P(MD) No.14630 of 2020

T.Palpandi

.. Petitioner

Vs

1.Secretary to the Government of India,
Ministry of Housing and Urban Affairs,
Government of India,
Nirman Bhawan,
Maulana Azad Road,
New Delhi - 110 011.

2.Director of Estates,
Directorate of Estates,
Government of India,
Room No.007 (Ground Floor),
Nirman Bhawan,
New Delhi.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing respondent No.1 to initiate all steps required to evict the illegal occupants of the Government accommodation, in accordance with the Central Government General Pool Residential Accommodation (CGGPRA) Rules, 2017 and Public Premises (Eviction of Unauthorized Occupants) Amendment Act, 2019 and the rules framed thereunder.

For Petitioner : Mr.Akash Srinanda

for M/s.Anirudha A Sriram

For Respondents : Ms.Victoria Gowry

Assistant Solicitor General of
India

ORDER

[Made by PARESH UPADHYAY, J.]

This petition is styled as public interest litigation. The respondents are:

1.Secretary to the Government of India,
Ministry of Housing and Urban Affairs,
Government of India,
Nirman Bhawan,
Maulana Azad Road,
New Delhi - 110 011.



2. Director of Estates,
Directorate of Estates,
Government of India,
Room No.007 (Ground Floor),
Nirman Bhawan, New Delhi.

2. The prayer of this writ petition is "for the issuance of a Writ of Mandamus directing respondent No.1 to initiate all steps required to evict the illegal occupants of the Government accommodation, in accordance with the Central Government General Pool Residential Accommodation (CGGPRA) Rules, 2017 and Public Premises (Eviction of Unauthorized Occupants) Amendment Act, 2019 and the rules framed thereunder."

3. Learned advocate for the petitioner has submitted that the unauthorized occupation of Government Bungalows by certain retired Officers is the matter of concern, since it will have effect at the national level and therefore the respondents need to be given directions as prayed for.

4. Having heard learned advocate for the petitioner and having considered the material on record this Court finds that, the grievance of the petitioner is with regard to so called unauthorized occupation of Government Bungalows at New Delhi, which would be beyond the territorial jurisdiction of this Court. Further, all the respondents are also at New Delhi. Therefore going by any parameter, even if the grievance of the petitioner is justified, no relief can be granted to him, in this writ petition, since it is beyond territorial jurisdiction of this Court. This petition therefore needs to be dismissed on that count alone.

5. Since this petition is not entertained solely on the above ground, if the petitioner files any petition before competent forum, disposal of this petition would not be treated as a factor against him on merits, if otherwise he is entitled to any relief.

6. This Writ Petition is disposed of in the above terms. No costs. Consequently, connected miscellaneous petition would not survive.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



To

1.The Secretary to the Government of India,
Ministry of Housing and Urban Affairs,
Government of India,
Nirman Bhawan,
Maulana Azad Road,
New Delhi - 110 011.

2.The Director of Estates,
Directorate of Estates,
Government of India,
Room No.007 (Ground Floor),
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W.P (MD) No.17486 of 2020
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