



W.P.(MD)No.25595 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.11.2022

WEB COPY

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THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**
and
THE HONOURABLE MR.JUSTICE **J.SATHYA NARAYANA PRASAD**

W.P(MD)No.25595 of 2022

P.Ganesan

... Petitioner

Vs.

1.The Director of Rural Development and Panchayat Raj,
Panagal Maligai,
4th and 5th Floor,
Abdul Razzak St., Saidapet,
Chennai – 600 015.

2.The District Collector,
Theni,
Theni District.

3.The District Adi-Dravidar Welfare Officer,
Collectorate,
Theni.

4.The Project Director,
District Rural Development Agency,
Theni,
Theni District.

5.The Block Development Officer,
Village Panchayat,
BDO Office,
Andipatti,
Theni District.

... Respondents



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Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, to direct the respondents to construct colony house at free house site patta land issued by the 3rd respondent to the 106 beneficiaries in S.Nos. 1773/1A, 1B, 1C, 2B1, 2C1, 2D1, 3 and 1807/4 having an extent of about 1.83.5 hectares situated at Thimmarasanayakanur Village, T.V. Renganathapuram, Andipatty Taluk, Theni District by considering petitioner's representation dated 31.05.2022 with in a stipulated time to be fixed by this Honble Court.

For Petitioner : Mr.Rajasekar

For Respondents : Mr.P.Thilak Kumar
Government Pleader

* * *

ORDER

(Order of the Court was made by **R.MAHADEVAN, J.**)

The petitioner has come forward with this writ petition praying to issue a writ of mandamus, directing the respondents to construct colony house at free house site patta land issued by the 3rd respondent to the 106 beneficiaries in S.Nos. 1773/1A, 1B, 1C, 2B1, 2C1, 2D1, 3 and 1807/4 having an extent of about 1.83.5 hectares situated at Thimmarasanayakanur Village, T.V. Renganathapuram, Andipatty Taluk, Theni District, by considering his representation dated 31.05.2022, with in a time frame.



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2. Heard Mr.Rajasekar, learned counsel for the petitioner and Mr.P.Thilak Kumar, learned Government Pleader, who accepts notice on behalf of the respondents. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. Claiming that though the Government through the 3rd respondent had issued 106 free house pattas in respect of the lands in S.Nos. 1773/1A, 1B, 1C, 2B1, 2C1, 2D1, 3 and 1807/4, situated at Thimmarasanayakanur Village, T.V. Renganathapuram, Andipatty Taluk, Theni District, to the Barbers/Navithars/Maruthuvars, who belonged to Most Backward Community, on the ground that they were earning very meagre income, since they were unable to build houses in the said patta lands due to their poverty, requesting the Government to construct houses for them, on behalf of the beneficiaries, the petitioner submitted a representation to the respondents on 03.08.2021, and though the same was forwarded by the first respondent vide his communication in Na.Ka.No.5714/2021/RHS22, dated 25.11.2021, to the fourth respondent who in turn vide his communication in Na.Ka.No. 474/2020/Thi.10, dated 02.12.2021, forwarded the same to the fifth



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respondent and thereafter, the fourth respondent vide his communication in Na.Ka.No.474/2020/Thi.10, dated 24.12.2021, also furnished the details of 73 beneficiaries to the first respondent for further action, according to the learned counsel for the petitioner, no action has been taken by them. Hence, the petitioner has sent another representation on 31.05.2022 to the Hon'ble Chief Minister and since the same was also not considered, he has filed the present Writ Petition.

4. Learned counsel for the petitioner would further submit that though the petitioner has sought for a larger relief, he would be satisfied, if a direction is issued to the 1st respondent to dispose of his representation dated 03.08.2021, on the basis of the communication of the fourth respondent dated 24.12.2021, within a time frame.

5. Considering the limited scope of the prayer now sought for by the petitioner, without expressing any opinion on the merits of the claim made by the petitioner, either in the representation or in the affidavit filed in support of the Writ Petition, this Writ Petition is disposed of with a direction to the first



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respondent to consider the representation of the petitioner dated dated 03.08.2021, on the basis of the communication of the fourth respondent dated 24.12.2021, and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to all the parties concerned. Such an exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

[R.M.D., J.] [J.S.N.P., J.]
11.11.2022

Internet : Yes / No
Index : Yes / No
sj

To

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