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W.P.Nos.9971, 9972, 10283, 10284, 10285, 10286 & 11443 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.03.2023

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THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.Nos.9971, 9972, 10283, 10284, 10285, 10286 & 11443 of 2018
and
WMP.Nos.11937, 11938, 12215, 12216, 12217, 12218 & 13361 of 2018

W.P.No.9971 of 2018:

Devi

...Petitioner

Vs.

1. The Chief Secretary,
Government of Puducherry,
Puducherry State.
2. The Director,
Adhi Dravidar Welfare Department,
Puducherry, Puducherry State.

...Respondents

Prayer in W.P.No.9971 of 2018: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd respondent to consider the representation of the petitioner dated 28.3.2018 in accordance with law and direct the 2nd respondent to permit the petitioner to live in his allotted house allotted by the 2nd respondent on 02.04.2015 free house patta No.28 , at Kudieruppupalayam, Seliyamedu Post, Puducherry State to secure the ends of justice.

In all W.P.s:

For Petitioners : Mr.R.Sankarasubbu



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For Respondents : Mr.Ramasamy Meiyyappan, GA (Pondicherry)

COMMON ORDER

Since the issue involved in all these Writ petitions are similar in nature, they are disposed of by way of this common order.

2. The case of the petitioners is that the petitioners herein belong to Scheduled caste community and are living below poverty level and are eligible for free house site for the Welfare of Adi Dravida. After careful consideration of the family status of the petitioners herein, the 2nd respondent allotted free house site in favour of the petitioners in different plots on different dates and free house site patta in Patta Nos.28, 26, 22, 46, 21, 66 and 27 respectively were issued in favour of the respective petitioners. While so, without physical verification, the 2nd respondent issued show cause notice to the petitioners, on the ground that the petitioners are not residing in the respective free house sites allotted in their favour. Though the petitioners sent their respective explanations to the above said show cause notices, however, without considering the said explanations, the 2nd respondent once again issued show cause notices to



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some of the petitioners. Aggrieved by the respective show cause notices issued, the said petitioners sent a detailed representations to the respondents on different dates, however, till date no orders have been passed on the said representations. In respect of the petitioner in W.P.No.10286 of 2018, who was not issued with the second Show cause notice, even the reply given to the 1st show cause notice has not been considered and no order has been passed. Further, in respect of the petitioner in W.P.No.11443 of 2018, though the petitioner sent a detailed explanation to the 1st show cause notice, however, without considering the said explanation and without passing any orders on the said explanation, the 2nd respondent issued the second Show cause notice. Hence, these Writ petitions.

3. Though very many grounds have been raised, learned counsel for the petitioners submitted that, it would suffice, if this Court issues direction to the respondents to consider the petitioners' respective explanations along with the representations, if any made and pass appropriate orders as expeditiously as possible. Till such time, the respondents may be restrained from evicting the petitioners from their respective house sites.



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4. Learned Government Advocate appearing for the respondents

submitted that appropriate orders will be passed on the petitioners' respective explanations along with their representations within the time stipulated by this Court.

5. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the respondents to consider the petitioners' respective explanations along with the representations, if any made by the respective petitioners on merits and in accordance with law and pass appropriate orders, within a period of four weeks from the date of receipt of a copy of this order, after affording an opportunity of personal hearing to the petitioners and aggrieved persons, if any. Till such time, the respondents are directed not to take any coercive steps in respect of evicting the petitioners from their respective house sites.

6. With the above directions, these Writ petitions stand disposed of. No costs. Consequently, connected Miscellaneous petitions are closed.

30.03.2023



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Speaking Order : Yes/ No

Index : Yes/ No

To

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Government of Puducherry,
Puducherry State.
2. The Director,
Adhi Dravidar Welfare Department,
Puducherry, Puducherry State.



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M.DHANDAPANI., J.

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