



WEB COPY



W.P.No.8076 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 16.03.2023

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.8076 of 2023

Nesavalur Kootturavu Nagar
Kudiyiruppor Nala Sangam,
Rep. By its President,
B.Sambantam Mudaliar,
Thirumana Mahal,
Nesavalur Kootturavu Nagar,
Dharmapuri – 636701.

... Petitioner

Vs

1. The Director of Handlooms and Textiles,
Kuralagam Buildings, 2nd Floor,
Chennai – 600 104.
2. The Deputy Director of Handlooms,
407, 4th Floor, Collectorate Office Complex,
Salem – 636001.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to consider an pass orders on the representation of the petitioner dated 02.09.2022 & 03.10.2022 to safeguard the welfare of the residents of Kootturavu Nagar Colony.



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For Petitioner : Mr.K.Francis
For Respondents : Mr.K.V.Sajeev Kumar,
Special Government Pleader

ORDER

Mr.Sajeev Kumar, learned Special Government Pleader accepts notice for the respondents and is armed with instructions to enable this Court to dispose the matter finally, even at this juncture, bearing in mind the limited relief sought.

2. The petitioner is the Nesavalur Kootturavu Nagar Kudiyiruppor Nala Sangam. It states that during the year 1950, the Dharmapuri Handloom Weavers Co-operative Production and Sales Society Ltd. S- 473, had purchased 12.6 acres of land by using the amounts deposited by the members. The purpose of purchase was for construction of a housing colony. Due approvals are also stated to have been obtained.

3. Thereafter, the Society mortgaged the land with the Government, obtaining a loan on condition that the same would be repaid over a period of 25 years. The purchasers of the plots were assured that upon payment of the instalments for consideration under the hire purchase agreement, ownership of the land would be transferred to them and upon settlement of the entire consideration, registered sale deeds will be executed.



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4. Agreements of lease are stated to have been executed, despite which the petitioner states that lessees are not paying the periodical lease amounts. In the meantime, the Society was itself dissolved and a Liquidator appointed to administer the same. The said Society is now under the control of the Deputy Director of Handlooms, Salem/R2.

5. Several representations have been filed by the petitioner association on 02.09.2022, 16.09.2022 and 03.10.2022 seeking details in regard to the lands leased out. The allegation is that surplus lands have been leased out to third parties in contravention of the objects of the project. Rents are also being collected and the fate of the rental amounts is also unknown.

6. Hence, this Writ Petition seeking a mandamus directing the first respondent, the Director of Handlooms and Textiles to consider and pass orders on the various representations of the petitioner, such that the interests of the residents of the Nesavala Kootturavu Nagar Kudiyiruppor Nala Sangam would be safeguarded.

7. Mr.Sajeev Kumar would accede to the receipt of various representations and assures the Court that needful will be done to consider the grievances expressed therein, hear the members of the petitioner sangam and dispose the representations expeditiously.



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Dr.ANITA SUMANTH,J.

8. In light of the above, mandamus is issued to R1 to hear the members of the petitioner sangam and such other parties that may be necessary to enable a proper disposal of the grievances of the petitioner and pass orders on the representations dated 02.09.2022 and 03.10.2022, within a period of twelve (12) weeks from date of receipt of a copy of this order.

9. This Writ Petition stands disposed as above. No costs.

16.03.2023

Index : Yes / No
Speaking/non-speaking Order
Neutral Citation: Yes/No
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To

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