



WEB COPY



W.P.No.7997 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.06.2023

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.No.7997 of 2020
And
W.M.P.No.9438 of 2020**

K.Raman

... Petitioner

Vs.

1.The District Collector,
Puducherry District,
Vazhuthavoor Road,
Pattiyanchathiram,
Puducherry.

2.The Deputy Collector (Revenue) North – Cum –
Estate Officer,
The Deputy Collector Office,
Puducherry District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the respondents and other officials from dispossessing or evicting the petitioner and his family from the property situates at door No.44, Tsunami Quarters, Pudhukuppam Village, Nallavadu Post, Pudhucherry and directing the second respondent to stipulate appropriate time limit to respond



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against the orders proposed to be passed in pursuant to show cause notice received on 01.02.2020 issued by the second respondent and for other orders.

For Petitioner : Mr.P.G.Thiyagu
For Respondents : Mr.J.Kumaran
Additional Government Pleader (P)

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus forbearing the respondents and other officials from dispossessing or evicting the petitioner and his family from the property situated at Door No.44, Tsunami Quarters, Pudhukuppam Village, Nallavadu Post, Pudhucherry and directing the second respondent to stipulate appropriate time limit to respond against the orders proposed to be passed in pursuant to show cause notice received on 01.02.2020 issued by the second respondent.

2.The learned counsel appearing for the petitioner submitted that the petitioner is affected by Tsunami and he was identified as eligible person and was allotted with the subject property, however, the respondents arrived at a conclusion that the petitioner is in unauthorized occupation of the property and issued show cause notice. The petitioner submitted his reply, however, the respondents without



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passing any order is trying to evict the petitioner. Hence, this Court may issue direction to the respondents to pass appropriate orders pursuant to the show cause notice.

3.The learned Additional Government Pleader (Puducherry) appearing for the respondents submitted that as of now, no allotment order was made in favour of the petitioner and the petitioner is illegally occupying the Tsunami Quarters which is entitled for eligible persons affected by Tsunami.

4.Heard the arguments advanced on either side and perused the materials available on record.

5.The petitioner claim that the petitioner is affected by Tsunami and he was identified as eligible person and was allotted with the subject property, however, the petitioner has not produced any allotment order or any other evidence before this Court to substantiate that the subject property has been allotted in his favour. Without any allotment order, occupying the Tsunami Quarters which is entitled for eligible persons affected by Tsunami is illegal. Hence, the prayer sought for in this writ petition cannot be granted.



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M.DHANDAPANI,J.

pri

6.The writ petition is accordingly dismissed. No costs.

Consequently, the connected miscellaneous petition is closed.

01.06.2023

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Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No

To

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