



W.P.No.10093 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.10093 of 2020

and W.M.P.No.12266 of 2020

E.Mouthouraman

. . . Petitioner

Vs.

1. Union of India by
Chief Secretary to Government,
Government of Puducherry,
Puducherry-605 001.
2. The Secretary to Government,
(Welfare)
Government of Puducherry,
Puducherry-605 001.
3. The Director,
Adi-Dravidar Welfare Department,
Government of Puducherry
Puducherry-605 009.
4. The Joint Director (Survey Wing)
Adi-Dravidar Welfare Department,
Government of Puducherry
Puducherry-605 009.



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5. The Deputy Director (General)
Adi-Dravidar Welfare Department
Puducherry-605 009.

6. The Welfare Inspector,
Embalam Assembly Constituency
Puducherry.

. . . Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue appropriate writs, orders or direction and in particular issue a Writ of Certiorari after calling for the concerned records relating to the order dated 03.01.2020 made in No.Nil passed by the 3rd respondent in so far as the petitioner is concerned and quash the same.

For Petitioner : M/s.M.Gnanasekar

For Respondents : Mr.A.Tamilvanan

Additional Government Pleader (P)

ORDER

Aggrieved by the impugned order of the 3rd respondent, the petitioner is before this Court.



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2. The petitioner is a landless poor belonging to Adi-Dravidar community. He was issued with free house site patta by the Government of Puducherry under the Scheme of “Issue of free house sites”, pursuant to which, in the year 2015, the petitioner was sanctioned with subsidy of Rs.1,50,000/- for the purpose of construction of the house. While so, on 03.01.2020, the 4th respondent has passed the present impugned order stating that action will be taken to recover the amount which was already paid as no construction work has been carried out by the petitioner in the allotted house site. Challenging the same, the petitioner has come up with this Writ Petition.

3. When the matter is taken up, learned counsel for the petitioner submitted that during the pendency of this Writ Petition, the petitioner has completed the construction work in the house site patta. However, the respondents have not released the subsidy amount to the petitioner which was recovered by them. Hence, the respondents may be directed to release the subsidy amount to the petitioner.



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4. In view of the above, the 4th respondent is directed to conduct an inspection in the petitioner's premises with regard to the construction activities carried out by the petitioner. Upon satisfaction, the 4th respondent is directed to release the subsidy amount recovered from the petitioner if not already released. The said exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

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Index : Yes / No
Internet : Yes / No

NHS



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