



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.06.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.15438 of 2023

and

W.M.P.No.14980 of 2023

1.Mrs.Amutha

2.Mrs.Maragatham

3.Mrs.Chitra

4.Mrs.Kanchana

... Petitioners

Vs.

1.The District Collector
Tiruppur
Tiruppur District.

2.The District Adi Dravidar Welfare Officer
Office of the District Collector
Tiruppur District.

3.The Special Tahsildar
Adi Dravidar Welfare Department
Tiruppur District.

4.The Village Administrative Officer
Iduvai Village
Tiruppur (South).

... Respondents



W.P.No.15438 of

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing first respondent to consider their representation dated 06.03.2023 consequently direct the third respondent to issue free House-site pattas to the petitioner as well as 3 others.

For Petitioners : Mr.R.Mansoor Ilahi
For Respondents : Mr.S.Ravichandran
Additional Government Pleader

ORDER

The writ of mandamus has been instituted to direct the 1st respondent to consider the representation submitted by the 1st petitioner on 06.03.2023 to grant free house site patta in favour of the petitioner as well as other three petitioners.

2. Grant of free house site patta cannot be claimed as a matter of right by the persons, who are submitting applications. Free house site pattas are granted by way of welfare scheme by the Government and it is to be granted scrupulously in accordance with the terms and conditions stipulated under the scheme. Eligible persons are to be sorted out and free patta is to be granted



strictly in accordance with the eligibility criteria and by following the procedures as contemplated. There cannot be any discrimination in the matter of grant of the free patta to the eligible persons, which is to be considered based on various other facts.

3. High Court cannot issue any direction to consider representation for grant of free house site patta, since it is a welfare scheme and mere scheme would not provide any cause for the purpose of instituting a writ proceeding. Only in the event of violations, discrimination or otherwise, while implementing the scheme, then the cause would arise for the purpose of filing a writ petition.

4. In the present case, merely issuing a direction to consider a representation would do no service to the cause of justice. The litigant will be back again by way of another writ petition and therefore, the applications submitted by all the eligible persons under the scheme is to be considered in accordance with the procedures set out under the scheme by the Government. Thus, the relief as such sought for cannot be considered



W.P.No.15438 of

5. Accordingly, this Writ Petition stands dismissed. No costs.

Consequently, connected Miscellaneous Petition is closed.

02.06.2023

Jeni

Index : Yes

Speaking order

Neutral Citation : Yes

To

1.The District Collector

Tiruppur

Tiruppur District.

2.The District Adi Dravidar Welfare Officer

Office of the District Collector

Tiruppur District.

3.The Special Tahsildar

Adi Dravidar Welfare Department

Tiruppur District.

4.The Village Administrative Officer

Iduvai Village

Tiruppur (South).



WEB COPY



W.P.No.15438 of

S.M.SUBRAMANIAM, J.

Jeni

W.P.No.15438 of 2023

02.06.2023