



WEB COPY



W.P. No. 28890 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 28890 of 2023

M.Selvarasu

... Petitioner

-VS-

1.The District Collector,
Cuddalore District.

2. Block Development Officer,
Srimushnam Taluk,
Cuddalore District.

Respondents

...

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus directing the respondents to pay the remaining 2nd, 3rd and final installment amount for the scheme based on the petitioner representation dated 23.08.2023.

For Petitioner : Mr. N.Chinnaraj

For Respondents : Mr. U.Bharanidharan
Additional Government Pleader (for R1)

Mr. A.Anandan
Government Advocate (for R2)



W.P. No. 28890 of 2023

WEB COPY

ORDER

Heard Mr. N.Chinnaraj, Learned Counsel for the Petitioner, Mr. U.Baranidharan, Learned Additional Government Pleader appearing for the First Respondent and Mr. A.Anandan, Learned Government Advocate appearing for the Second Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance ventilated by the Petitioner is that though he has been selected as a beneficiary of the Indira Awas Yojana for construction of house in rural areas, except the initial installment, the remaining eligible amount has not been disbursed to him.

3. In response, the Second Respondent in the Counter-Affidavit dated 06.11.2023 has given details of the amounts disbursed to the Petitioner under the Scheme as follows:-

S. No.	Cheque No.	Payment Date	Payment Amount in Rs.
1.	525325	22.03.2018	15,502/-
2.	525329	25.06.2018	20,559/-
3.	525332	07.12.2018	27,101/-
Total			63,162/-



W.P. No. 28890 of 2023

WEB

It is further stated that the Petitioner has also received 60 bags of cement and 155 kg of steel from the Second Respondent under that Scheme. In respect of the balance amount of Rs. 31,998/- remaining payable, it is informed that the Petitioner would be entitled to receive it only after completion of construction of the house.

4. In view of the aforesaid submissions made, this Court without expressing any view on the merits of controversy involved, passes the following order:-

- (i) after completion of the construction of the house, the Petitioner shall make application with supporting documents to the Second Respondent for release of Rs. 31,998/- as mentioned by the Second Respondent;
- (ii) it shall be incumbent upon the Second Respondent on receipt of that application to immediately examine the same;
- (iii) if it is found that any other details or supporting documents is necessary, the deficiencies in that regard shall be informed that the Petitioner or any other person concerned requiring the same to be furnished within a time frame of not less than 10 working days;
- (iv) in the event of not being satisfied with the requirements even thereafter, an inspect of the building shall be conducted by the Second Respondent



W.P. No. 28890 of 2023

or any other official person authorized by him to ascertain the actual stage of the construction and an enquiry shall be conducted affording full opportunity of person hearing to the Petitioner and all other persons concerned to explain their position in that regard;

- (v) a reasoned order shall be passed dealing with each of the contentions raised on merits and in accordance with law and the decision taken communicated under written acknowledgment; and
- (vi) the report of such compliance shall be filed before the Registrar (Judicial of the Court.

In the result, the Writ Petition is disposed on the aforesaid terms. No costs.

08.11.2023

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 22.11.2023.

ns1

To

1. The District Collector,
Cuddalore District.



W.P. No. 28890 of 2023

2. Block Development Officer,
Srimushnam Taluk,
Cuddalore District.



WEB COPY



W.P. No. 28890 of 2023

P.D. AUDIKESAVALU, J.

nsi

W.P. No. 28890 of 2023

08.11.2023