



W.P.No.29171 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.10.2023

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.No.29171 of 2023

Amudha

.. Petitioner

VS

- 1.The District Collector,
Cuddalore District,
Cuddalore.
- 2.The Block Development Officer,
Nallur Block Development office,
Nallur,
Cuddalore District.
- 3.The Tahsildar,
Thittagudi Taluk,
Cuddalore District.
- 4.The Village Administrative Officer,
65 Tholar North
78. Putheri
Thittagudi Taluk,
Cuddalore District.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus directing the 1st respondent to allot her a house in the Periyar Momorial Samathuvapuram, Tholar North, Cuddalore District based on the representation of the petitioner dated 10.07.2023 on merits and in accordance with law.



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For Petitioner : Mr.D.Ashok Kumar
For Respondent : Mr.J.C.Durairaj (for R1, R3 & R4)
Additional Government Pleader
Mr.P.Ananthakumar (for R2)
Government Advocate

ORDER

Mr.J.C.Durairaj, learned Additional Government Pleader accepts notice for R1, R3 and R4 and Mr.P.Ananthakumar, learned Government Advocate accepts notice for R2.

2. The petitioner claims to belong to Hindu Adi Dravidar Community and also claims to have been deserted by her husband over a decade ago. She has two sons and daughters and seeks a mandamus directing the District Collector, Cuddalore / R1 to allot her a house in the Periyar Memorial Samathuvapuram, Cuddalore District or allot a house site in Survey No.459.

3. She states that Periyar Memorial Samathuvapuram is being constructed in her village and based on her representation dated 25.04.2022, she had been assured by the authorities that a house would be allotted to her. She claims that orally she was asked to occupy house no.76 in the Samathuvapuram.



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4. On 10.07.2023 and 28.08.2023, she states that she had made representation to the District Collector seeking allotment of house to which, there is no reply. In the list of beneficiaries that was put up in regard to the allotment, her name was not found. She thus prays that she may be allotted house site in survey no.459, which is classified as Natham Poramboke.

5. Mandamus of the nature as sought for by the petitioner for a positive direction cannot be issued insofar as the authorities would be bound by the rules, regulations and guidelines in terms of which the Samathuvapuram was developed. It is the petitioner's say that her representation filed on 28.08.2023 did not find favour with the respondents but this Court is unaware of the reason as to why her representation was not accepted.

6. This Court thus issues mandamus simplicitor, directing that the representation of the petitioner be looked into in detail by the authorities. Let the Block Development Officer, who is arrayed as R2 to whom representation has been forwarded by the District Collector, look into the matter, ascertain the reason as to why her name was not in the list of beneficiaries and thereafter pass a



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speaking order on her representation, in accordance with law and in accordance with the prevailing guidelines, after hearing the petitioner, within a period of six (6) weeks from today.

7. The writ petition stands disposed in terms of the above order. No costs.

09.10.2023

Index:Yes/No
Neutral Citation:Yes
ssm

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DR. ANITA SUMANTH,J.

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