



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.10.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)Nos.20013 of 2020 and 4772 of 2021
and
W.M.P.(MD)Nos.3889 and 3890 of 2020

W.P.(MD)No.20013 of 2020:-

Anbuselvi

... Petitioner

-Vs-

1.The District Collector,
Trichy District, Trichy.

2.The Block Development Officer,
Block Development Office,
Puvalur Post, Lalgudi Taluk,
Trichy District.

3.Sundarambal
4.R.Kumar

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the 1st and 2nd respondents not to provide any house site scheme to the 3rd and 4th respondents in respect of the property in SF.No. 410/15 at extent of 0.023 Acres and follow the judgment in A.S.No. 237 of 2011 on the file of the Principal District Judge, Trichy, based on the petitioner's representation dated 08.06.2020.

For Petitioner : Mr.S.Karthick
For R1 and R2 : Mr.R.Raguvendran
Government Advocate



W.P.(MD)No.4772 of 2021:-

Sundarambal

... Petitioner

-Vs-

1.The District Collector,
Trichy District, Trichy.

2.The Block Development Officer,
Block Development Office,
Puvalur Post, Lalgudi Taluk,
Trichy District.

3.Anbuselvi

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari to call for the records pertaining to the impugned order passed by the 2nd respondent by his proceedings Se.Mu.No.Aa3/703/2019 dated 06.01.2021 and to quash the same as illegal.

For Petitioners : Mr.T.Lenin Kumar
For R1 and R2 : Mr.R.Raguvendran
Government Advocate

COMMON ORDER

The issue involved in all these Writ Petitions are common and hence, they are taken up together, heard and disposed of through this common order.

2.W.P.(MD)No.20013 of 2020 has been filed seeking for issuance of a Writ of Mandamus directing the first and second respondents not to provide any house site scheme to the third and fourth respondents with respect to the subject property.



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3. During the pendency of this Writ Petition, through proceedings dated 06.01.2021, the second respondent cancelled the benefits that were given in favour of the third and fourth respondents by citing the pendency of W.P.(MD)No.20013 of 2020. Challenging the said cancellation, W.P.(MD)No. 4772 of 2021 was filed before this Court.

4. This proceedings was subsequently cancelled by the second respondent through proceedings dated 12.03.2021. As a result, the benefits that were conferred in favour of the third and fourth respondents stood restored.

5. Heard Mr.S.Karthick, learned Counsel for the petitioner in W.P. (MD)No.20013 of 2020, Mr.T.Lenin Kumar, learned Counsel for the petitioner in W.P.(MD)No.4772 of 2021 and Mr.R.Ragavendran, learned Government Advocate appearing for the respondents 1 and 2 in both the Writ Petitions.

6. The second respondent has dealt with this case in the most hasty manner. The benefits that were conferred in favour of the third and fourth respondents was cancelled by the second respondent by citing the pendency of W.P.(MD)No.20023 of 2020. No other reason was given for cancellation of the benefits given in favour of the third and fourth respondents. The cancellation happened through proceedings dated 06.01.2020. When this was challenged,



the second respondent proceeded to cancel the proceedings dated 06.01.2020 through proceedings dated 12.03.2021 once again citing the pendency of the above Writ Petitions. The illegality committed by the second respondent in this case is writ large on the face of it.

7.In view of the fact that benefits that were conferred in favour of the third and fourth respondents was cancelled, nothing survives in W.P.(MD)No. 20013 of 2020.

8.In view of the fact that the impugned proceedings dated 06.01.2020 has been withdrawn through subsequent proceedings dated 12.03.2021, nothing survives in W.P.(MD)No.4772 of 2021. It is made clear that if the second respondent intends to take away the benefits that had already been conferred in favour of the third and fourth respondents, they must be put on notice and they must be heard before any final decision is taken.

9.These Writ Petitions are disposed of in the above terms. No costs. Consequently, connected miscellaneous petitions are closed.

09.10.2023

NCC :Yes/no
Index :Yes/no
Internet :Yes/no
cmr

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To

1.The District Collector,
Trichy District, Trichy.

2.The Block Development Officer,
Block Development Office,
Puvalur Post, Lalgudi Taluk,
Trichy District.



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N.ANAND VENKATESH, J.

cmr

W.P.(MD)Nos.20013 of 2020 and 4772 of 2021

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