



W.P(MD)No.20879 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 02.08.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.20879 of 2015

Alagurajan

... Petitioner

Vs.

1.State of Tamil Nadu,
Represented by
The Secretary to the Government,
Revenue Department,
Secretariat,
Fort St.George,
Chennai.

2.The District Collector,
Madurai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to allot land to the petitioner under Section 43 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, by consider the representation dated 20.07.2015 submitted by the petitioner and by considering the Letter No.24078/Ne.Mul(2)/2015/1, dated 10.07.2015 send by the first respondent to the second respondent within the time stipulated by this Court.



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For Petitioner : Mr.R.Alagumani
For Respondents : Mr.D.Gandhiraj
Special Government Pleader

ORDER

Heard both sides.

2.The writ petitioner is suffering from physical disability. He has suffered amputation of his limbs. He filed petition under Section 43 of the 1995 Act. Section 37 of the Central Act 49 of 2016 contains corresponding provision. It reads as follows:-

“37. Special Schemes and Development Programmes:-

The appropriate Government and the local authorities shall, by notification, make schemes in favour of persons with benchmark disabilities, to provide:-

(a) five per cent reservation in allotment of agricultural land and housing in all relevant schemes and development programmes with appropriate priority to women with benchmark disabilities.

(b) five per cent reservation in all poverty alleviation and various developmental schemes with priority to women with benchmark disabilities.

(c) five per cent reservation in allotment of land on concessional rate where such land is to be used for the purpose of promoting housing, shelter, setting up of occupation, business, enterprise, recreation centres and production centres.”



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3.The petitioner has also been called upon to appear for enquiry on 04.08.2023 at 04.00 pm. The petitioner can make fresh representation also. The second respondent will pass appropriate order.

4. The Writ Petition is disposed of. No costs.

02.08.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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NOTE:Issue Order Copy on 03.08.2023.

To

1.The Secretary to the Government,
Revenue Department,
Secretariat,
Fort St.George,
Chennai.

2.The District Collector,
Madurai District.

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