



W.P.Nos.8965 & 9005 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2024

CORAM

**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM**

W.P.Nos.8965 & 9005 of 2020

and

W.M.P.No.10899, 10901, 10949 & 10950 of 2020

C.Jayamurugan

... Petitioner in  
W.P.No.8965/2020

E.Suresh

... Petitioner in  
W.P.No.9005/2020

**Vs.**

1. Union of India by  
Chief Secretary to Government,  
Government of Puducherry,  
Puducherry-605 001.

2. The Secretary to Government,  
(Welfare)  
Government of Puducherry,  
Puducherry-605 001.

3. The Director,  
Adi- Dravidar Welfare Department,  
Government of Puducherry,  
Puducherry-605 009.



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4. The joint Director (Survey Wing)  
Adi- Dravidar Welfare Department,  
Government of Puducherry,  
Puducherry-605 009.

5. The Deputy Director (General)  
Adi-Dravidar Welfare Department,  
Puducherry-605 009.

6. The Welfare Inspector,  
Embalam Assembly Constituency,  
Puducherry.

7. The Tahsildar,  
Taluk Office,  
Bahour,  
Puducherry-607 402.

... Respondents

**Common Prayer :-** Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorari, calling for the concerned records relating to the order dated 03.01.2020 made in No.Nil Passed by the 3rd Respondent in so far as the petitioner is concerned and quash the same.

For Petitioners in  
both the W.Ps. : Mr.M.Gnanasekar

For Respondents in  
both the W.Ps. : Mr.A.Tamilvanan  
Additional Govt. Pleader (Puducherry)



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### **COMMON ORDER**

The order dated 03.01.2020, granting 30 days time to the petitioners to complete construction of the house as per the conditions stipulated in the scheme, failing which the subsidy paid will be recovered, is under challenge.

2. The petitioner states that the Government of Puducherry allotted house sites to the landless poor Scheduled Caste community people under the scheme of “Issue of free house sites”, subsidy was granted and conditions were imposed to construct the house within the time limit stipulated.

3. The authorities, during inspection, found that the petitioner has not constructed the house as per the conditions stipulated under the scheme. Though the allotment was made in the year 2015, for about 5 years, no progress was made regarding construction of a house in the allotted house site. Thus, the authorities have issued order granting 30 days time to complete the construction failing which the subsidy granted will be recovered. The writ petition was instituted in the year 2020. The



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allotment was made in the year 2015. For about 5 years, the petitioners have failed to construct the house and thereby violated the conditions stipulated under the scheme. That being the fact, this Court is not inclined to grant the relief.

4. The learned counsel for the petitioner, Mr.Gnanasekar would submit that if the houses are already constructed during the pendency of the writ petition, the same may be considered. It is for the authorities to take a decision in accordance with law. However, the order impugned dated 03.01.2020 cannot be held as infirm and is passed in consonance with the conditions stipulated under the scheme.

5. Thus, the writ petitions stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

07.02.2024

Index : Yes  
Speaking Order  
Neutral Citation : Yes  
(sha)



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**S.M.SUBRAMANIAM. J.,**

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