



W.P.No.15411 of 2020

IN THE HIGH COURT OF JUDICATUE AT MADRAS

DATED: 12.09.2024

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.15411 of 2020

S.Murugesan

.. Petitioner

Vs

1.The Secretary to Government,
Rural Development and Panchayat Raj Dept.
Chennai – 9.

2.The District Collector,
Ranipet District.

3.The Director of Planning,
District Rural Development Centre,
Ranipet.

4.The Block Development Officer,
Timiri,
Kalavai Taluk,
Ranipet District.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India seeking for issuance of a writ of mandamus to direct the second respondent to sanction a total sum of Rs.2,10,000/- spent by the petitioner towards green house construction at Rs.1,80,000/- and Rs.30,000/- towards fixing solar power for the green house situate at No.2/42, Muthu Mariamman Koil Street, Melnelli, Sannasamuthiram



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post, Kalavai Taluk, Ranipet District, as per the petitioner's representation dated 01.02.2020 within a time limit.

For Petitioner : Mr.S.Arunkumar

For R1 to R3 : Mr.V.Manoharan, AGP

ORDER

The writ petition has been filed for a direction to the second respondent to sanction a sum of Rs.1,80,000/- towards green house construction; and Rs.30,000/- towards fixing solar power, totally a sum of Rs.2,10,000/-, spent by the petitioner for the green house situate at No.2/42, Muthu Mariamman Koil Street, Melnelli, Sannasamuthiram post, Kalavai Taluk, Ranipet District, based on his representation dated 01.02.2020.

2. The petitioner was given permission to construct green house with solar electricity power by the fourth respondent vide proceedings dated 31.10.2017 and accordingly, his proposed green house was estimated at Rs.1,80,000/- and the deadline for completion of the same was by 31.01.2018. The said amount was classified into four stages and



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thereupon, the petitioner started construction of the house . However, the first installment was not paid and therefore, the petitioner borrowed loan and completed construction. Even then, the petitioner was not paid and hence, he submitted a representation before the authorities.

3. On perusal of the counter affidavit filed by the fourth respondent and on submission of the learned Additional Government Pleader appearing for the respondents 1 to 3, it is revealed that the District Collector, vide his proceedings dated 27.06.2017, allotted 41 solar green house to Thimiri Panchayat Union. Subsequently, the fourth respondent vide his proceedings dated 31.10.2017 sanctioned work order to the petitioner for construction of solar green house and thereafter, Overseer of Thimiri Panchayat Union has done measurement work for construction of the said house. After foundation work, one Mr.Mani, his relative, had raised objection alleging that the petitioner started constructing his house by closing pathway. However, the petitioner had completed foundation work in the land belonging to one Mr.Mani. On inspection by Overseer, it is found that the entire foundation work was carried out by the petitioner without taking measurement by the Overseer



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and also deviated the design of the house prescribed in the guidelines and conditions laid down in the work order. That apart, the petitioner had also constructed portico and it is not allowed in solar green house project. Therefore, the second respondent, by proceedings dated 24.09.2019, had cancelled the work order for construction of solar green house to the petitioner.

4. In view of the above, the petitioner is not entitled to claim amount as sought for by him. Accordingly, the writ petition is dismissed as devoid of any merit. No Costs. W.M.P.No.19264 of 2020 is closed.

12.09.2024

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To

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G.K.ILANTHIRAIYAN, J.
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