



WEB COPY



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.11.2024

CORAM

THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.2681 of 2018
and
W.M.P.No.3321 of 2018

Padma

.. Petitioner

Vs.

1.The District Collector,
Coimbatore District,
Coimbatore.

2.The Block Development Officer,
Karamadai Union,
Coimbatore District.

3.The Executive Officer,
Odandurai Village Panchayat,
Mettupalayam Taluk,
Coimbatore District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the proceedings of the 2nd respondent in Na.Ka.No.541/2016/A2 dated 20.10.2017 and quash the same and consequently, direct the 2nd respondent to allot the work order to the petitioner.



For Petitioner

.. Mr.M.Guruprasad

For Respondents

.. Mr.V.Nanmaran,

Additional Government Pleader.

ORDER

This writ petition has been filed in a nature Certiorarified Mandamus, seeking to call for the records relating to the proceedings of the 2nd respondent, Block Development Officer, Karamadai Union in Coimbatore District in Na.Ka.No.541/2016/A2 dated 20.10.2017 and to quash the same and direct the 2nd respondent to allot the work order to the petitioner.

2.In the affidavit filed in support of the writ petition, it had been stated that the petitioner along with other residents of the village had earlier filed a writ petition questioning the proceedings of the 2nd respondent dated 14.11.2016. He stated that the respondent had constructed 119 group houses in the year 1999. But the petitioner and the other residents could not reside in the small hut and therefore, sought additional houses. It had been contended that the respondent identified land and the land was also gifted to the Panchayat. Thereafter, work order was given on 06.06.2016 to commence construction of work.



3. But however, in the meanwhile, the impugned order came to be passed on the ground that the petitioner did not have patta for the land and that if he obtains patta, then his application would be considered. It is only appropriate that the petitioner applies for patta and if he is eligible, the authorities may examine the application, if filed, based on the nature of the land and the eligibility of the petitioner. If he is not eligible, then patta cannot be granted. The rules and regulations would bind the authority and also the petitioner herein. The impugned order does not warrant any interference. The writ petition stands dismissed with the above direction. No costs. Consequently, connected writ miscellaneous petition is closed.

11.11.2024

Index: Yes/No
Internet: Yes/No
smv

C.V.KARTHIKEYAN,J.



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