



W.P.No.35137 of 2014

IN THE HIGH COURT OF JUDICATUE AT MADRAS

DATED: 09.09.2024

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.35137 of 2014

K.Manickam

.. Petitioner

Vs

1.The District Collector,
Dharmapuri District.

2.The Project Director,
District Rural Development Agencies,
Collectorate,
Dharmapuri District.

3.The Block Development Officer,
Nallampalli Panchayat Union,
Dharmapuri District.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India seeking for issuance of a writ of certiorarified mandamus to call for the records on the file of the third respondent in proceedings in vide No.Na.Ka.No.153/2014/A8, dated 20.11.2014, and quash the same and consequently, direct the third respondent to disburse the sanctioned loan amount to the petitioner under Pasumai Vidu Thittam (Solar Green House Plan) as expeditiously as possible.



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For Petitioner : Mr.S.Periyasamy

For R1 & R2 : Mr.V.Manoharan, AGP

For R3 : No Appearance

ORDER

The writ petition has been filed challenging the impugned order passed by the third respondent cancelling the loan sanctioned under Pasumai Vidu Thittam (Green house with solar system).

2. The petitioner owns a land comprised in S.No.4/87 situated in Soliyanur Village, Dharmapuri District, measuring to an extent of 45 sq.mtrs. While being so, the Government sanctioned a sum of Rs.1,80,000/- vide order dated 26.02.2014 for construction of a house in the said land Pasumai Vidu Thittam (Green house with solar system). While petitioner was constructing a house by following all the requirements, the third respondent by the impugned order cancelled the loan granted under Pasumai Vidu Thittam (Green house with solar system) on the ground that the petitioner started constructing his house in the existing old building.



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3. It is seen that based on the compliant lodged by his neighbour, the third respondent acted upon and passed the impugned order. The constructed premise was never inspected by the third respondent and the petitioner was not given an opportunity of personal hearing before passing the impugned order cancelling the loan sanctioned for Pasumai Vidu Thittam (Green house with solar system). Therefore, for violation of principles of natural justice, the impugned order cannot be sustained and it is quashed accordingly, The third respondent is directed to disburse the loan amount under Pasumai Vidu Thittam (Green house with solar system) within a period of two weeks from the date of receipt of a copy of this order, if not already disbursed. With this direction, the writ petition stands allowed. No Costs.

09.09.2024

rkm



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G.K.ILANTHIRAIYAN, J.

rkm

To

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