



WEB COPY

W.P.No.21007 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2024

CORAM:

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.21007 of 2024
and WMP.No.22961 of 2024

K.Rajendran

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Petitioner

vs

The District Collector
O/o.District Collector
Thiruvarur District.

2.The Assistant Director of Panchayat
O/o.Department of Panchayat Development
District Collector, Thiruvarur District.

3.The Block Development Officer
Kodarachery Panchayat union
Thiruvarur District.

4.The Assistant Planning Officer (House)
District Panchayat Development
District Collector, Thiruvarur District.

5. Mr.Selvam

...

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to direct the respondents 1 to 4 to conduct inquiry and take action against the 5th respondent for fabricated the documents, commit forgery in order to getting approval of house under



PMYA Scheme at S.No83/4, situated Akarai New Street, Ammaiyappan Thiruvarur District in pursuance of petitioner representation dated 01.10.2023.

For Petitioner : Mr.P.Muthamizhselvakumar
For Respondents : Mr.M.Venkateswaran,
Spl.GP for R1 and R2.
Mr.P.Gurunathan, AGP for R3 & R4

ORDER

By consent of both sides, this Writ Petition is disposed of at the stage of admission itself.

2. The grievance of the petitioner is that the property in S.No.83/4, Patta No.488 situated at Akarai New Street, Ammaiyappan, Thiruvarur District registered in D.No.6289/2009, 6290/2009 and 1333/2009 on the file of the Sub Registrar, Thiruvarur, was in possession and enjoyment of the petitioner and paying all the taxes. Suddenly, the 5th respondent started to put a construction in the house site stating funds has been granted under Prime Minister Awas Yojana Scheme. The documents produced by the 5th respondent stated to be fabricated and forged one, the allotment under PMYA scheme is not in the name of the petitioner and sanction is in the name of third party. The 5th respondent colluded with the panchayat officials in obtaining the fabricated documents. Thereby, the petitioner



approached the respondents by forwarding a representation dated 01.10.2023. In turn, the 2nd respondent forwarded a letter dated 25.10.2023 to the 4th respondent, for further action, but there is no proper response. Hence, the present writ petition.

3. The learned Special Government Pleader for the respondents submit that the respondents will consider the representation of the petitioner and appropriate orders will be passed within a reasonable period of time.

4. Heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondents 1 and 2 and the learned Government Advocate for the respondents 3 & 4 and perused the materials available on record.

5. In such view of the matter, this Court directs the second respondent to conduct an enquiry with a period of two months from the date of receipt of a copy of this order, after giving notice to the neighbouring land owners and any other interested persons, and forward the report to the 1st respondent/District Collector. In turn, the 1st respondent is directed to pass



appropriate orders on merits and in accordance with law within a period of twelve weeks thereon.

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6. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

01.08.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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To

The District Collector
O/o.District Collector
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O/o.Department of Panchayat Development
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V.BHAVANI SUBBAROYAN, J.

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