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W.P.No.24285 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.09.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.24285 of 2024
and W.M.P.No.26526 of 2024

R.Mahalakshmi

...Petitioner

-Vs-

1. The District Collector,
Cuddalore District.
2. The Additional Collector
(Development Work)/
Project Director,
District Rural Development Agency,
Cuddalore & District.
3. The Tahsildar,
Tittagudi Taluk,
Cuddalore District.
4. The Block Development Officer,
Nallur Panchayat Union,
Cuddalore District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records pertaining to the impugned orders issued by the fourth respondent in his proceedings in ref.No.Na.Ka.En:A2/0568/2022 dated 14.03.2024 and quash the same as unreasoned, illegal, arbitrary and violative of audi alteram partem.



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For Petitioner : Mr.R.Veeramani
For Respondents
For R1 to R3 : Mr.N.Naveen Kumar
Government Advocate
For R4 : Mr.K.H.Ravikumar

ORDER

This writ petition has been filed challenging the order passed by the fourth respondent dated 14.03.2024, thereby cancelled the allotment of house in Tholar Kudikadu Village, Tittagudi Taluk, allotted in favour of the petitioner.

2. The petitioner belongs to backward class community and she is the resident of Tholar Kudikadu Village, Tittagudi Taluk, Cuddalore District. While being so, the government promoted Periyar Ninaivu Samathuvapuram in the land comprised in Survey No.459/72 of the village. The petitioner was identified as one of the beneficiary of a constructed house bearing door No.19 and she was issued with allotment order dated 28.06.2023, by the fourth respondent. Now the same was cancelled as such, the petitioner filed the present writ petition with the above prayer.

3. Heard the learned counsel appearing on either side and



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perused the materials placed before this Court.

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4. On perusal of records revealed that, one Venkataraman lodged complaint alleging that the petitioner has so many properties in her name and as such requested to cancel the allotment of the house in her favour. On the complaint, detailed enquiry was conducted by the Revenue Divisional Officer. During the enquiry, they found that the petitioner's husband owned property comprised in survey No.306/13 ad measuring 0.01.23 hectare in patta No.3750. Further the petitioner's mother-in-law owned property comprised in survey No.481/5A2 ad measuring 0.02.43 hectare under patta No.1911. Therefore, the allotment order was cancelled by the fourth respondent by an order dated 14.03.2024.

5. That apart, Periyar Ninaivu Samathuvapuram is meant for landless poor people. While allotment of house, the petitioner submitted that she has three children and she doesn't own any house or property to her family members and her husband is going for daily wages. On the said submissions, the petitioner was found as one of the beneficiaries and the house was allotted in her favour. On enquiry revealed that, the



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petitioner's husband and her in-laws owned three properties. Further, her husband is employed in abroad. Therefore, this Court finds no infirmity or illegality in the order passed by the fourth respondent and the writ petition is devoid of merits and liable to be dismissed.

6. Accordingly, the Writ Petition stands dismissed. Consequently, connected miscellaneous petition is closed. There shall be no orders as to costs.

27.09.2024

Index : Yes/No
Speaking/Non Speaking order
Neutral Citation : Yes/No

rts



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G.K.ILANTHIRAIYAN. J.

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