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W.P.No.6831 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2024

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.6831 of 2022

M.Poosamuthu

... Petitioner

Vs

1. The District Collector,
Kallakurichi District,
Kallakurichi.

2. The Block Development Officer,
Chinnasalem Block Development Office,
Chinnasalem,
Kallakurichi District.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to initiate action on the representations of the petitioner dated 12.10.2020 and 22.01.2021 and thereby extend the benefit of the PMAY(U) Scheme to the petitioner at par with other beneficiaries of the said Namasivayapuram Village within a reasonable time to be fixed by this Court.



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For Petitioner : Mr. M.Subash
For Respondents : Mr.T.Chandrasekaran,
Special Government Pleader

ORDER

The Writ Petition has been filed for directing the respondents to initiate action on the representations made by the petitioner seeking to extend the benefit of the Pradhan Mantri Awas Yojana Scheme (hereinafter referred to as 'the PMAY(U) Scheme' for short) to the petitioner on par with other beneficiaries of Namasivayapuram Village, within a reasonable time that may be fixed by this Court.

2. The Prime Minister of India has launched a scheme known as PMAY(U) Scheme during the year 2015, which intends to provide housing for all urban areas by the year 2022. As per the PMAY(U) Scheme, the real beneficiaries for the village of the petitioner were chosen by the second respondent who collected documents from the beneficiaries. While that being so, the petitioner was found that the second respondent, for conversion of his thatched roof house into a pucca house, was not allotted



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any payment under the PMAY(U) Scheme. Therefore, the petitioner submitted a representation dated 01.12.2019, which was replied by the second respondent stating that the petitioner was already allotted to construct a house under the former scheme, known as Kalaigiar Housing Scheme during the year 2010-2016 and therefore, the petitioner is not eligible under the the PMAY(U) Scheme. Subsequently, the petitioner submitted a representation alleging that the beneficiaries were allotted two times benefits and however, the petitioner was not allotted those benefits.

3. On a perusal of the counter-affidavit filed by the second respondent, it reveals that the petitioner was already allotted under the Kalaigiar Housing Scheme. However, the petitioner could not construct a house. As per the PMAY(U) Scheme, a person can be allotted house, unless and otherwise the person is not allotted elsewhere under any scheme. Therefore, the petitioner is not to entitled to avail the benefits under the PMAY(U) Scheme as per its guidelines. That apart, the petitioner has now converted the thatched roof house into a pucca house, wherein as per the guidelines under the PMAY(U) Scheme, a member owning a pucca house



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should not have availed of Central Government assistance under any housing scheme from the Government of India. Therefore, the representations made by the petitioner cannot be considered and the Writ Petition is devoid of merits.

4. Accordingly, the Writ Petition is dismissed. No costs.

01.04.2024

Index: Yes/No
Neutral Citation: Yes/No
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To

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Kallakurichi District,
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G.K.ILANTHIRAIYAN, J.

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