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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2024

CORAM:

THE HONOURABLE **MRS. JUSTICE V.BHAVANI SUBBAROYAN**

W.P.No.32284 of 2023

S. Dhanalakshmi

.. Petitioner

Versus

1. The District Collector,  
Villupuram District,  
Villupuram

2. The Block Development Officer,  
Vallam Panchayat Union,  
Vallam, Villupuram District.

3. The Panchayat Secretary,  
Irumbuli Panchayat,  
Irumbuli Village, Gingee Taluk,  
Villupuram District

...Respondents

**Prayer:** This petition is filed under article 226 of the Constitution of India to issue a writ of Certiorarified Mandamus calling for the records relating to the order of the second respondent in



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Na.Ka.Aa6/3874/2022, dated 11.01.2023 and to quash the same and consequently direct the second respondents to settle the balance pending amount of Rs.39,961/- as per the sanction Order in No.Na.Ka.No.A6/15/2014, dated 09.05.2018 and pass orders.

For Petitioner : Mr.K. Sakthidoss

For Respondent : Mr. A.M. Ayyadurai  
Government Advocate

### **ORDER**

This petition is filed to seeking to issue a writ of Certiorarified Mandamus calling for the records relating to the order of the second respondent in Na.Ka.Aa6/3874/2022, dated 11.01.2023 and to quash the same and consequently direct the second respondents to settle the balance pending amount of Rs.39,961/- as per the sanction Order in No.Na.Ka.No.A6/15/2014, dated 09.05.2018 and pass orders.

2. The case of the petitioner is that the petitioner availed the allotment and subsidiary for the construction of residential house under the scheme of Indira Awas Yojana Housing Scheme ( Indira Ninaivu



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Kudiyiruppu Thittam) 2014-15, vide the first respondent allotment order proceedings Na.Ka.No.A6/15/2024 dated 15.07.2014 and the petitioner was allotted a sum of Rs.1,20,000/- for the construction of the house. After the allotment the petitioner constructed the house in her own funds and thereafter the respondents disbursed a sum of Rs.79,789/- (in two installments) out of Rs.1,20,000/- under the said housing scheme. Thereafter, the second respondent/Block Development Officer directed the 3<sup>rd</sup> respondent to pay a sum of Rs.39,961/- to the petitioner by way of crossed cheque. However, the 3<sup>rd</sup> respondent has not disbursed the said amount. Hence, the petitioner made a representation to the second respondent who inturn sent a letter to the petitioner in Na.Ka.Aa6/3874/2022 dated 11.01.2023 stating that as per the E& R records in Volume 3/3 Page No.91/93 of IAY scheme, year 2014-15 no balance amount is pending to the petitioner. Aggrieved over the same, the petitioner has come up with this petition.

3. The learned counsel for the petitioner submitted that the petitioner had borrowed money and spent on the belief that the second and third respondents will pay the allotted amount to him. He further



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submitted that the letter of the District Rural Development agency in Na.Ka.No.Aa2/454/2023 dated 17.03.2023 addressed to the first respondent that the maintenance amount of IAY was closed as unspent expenditure amount and returned to the Government is totally illegal and the same requires interference by this Court. Hence prays to allow this petition.

4. The learned Government Advocate appearing for the respondent produced a letter addressed by the second respondent in Na.Ka.A6/2528/2023 dated 26.06.2024, wherein it has been stated that on enquiry it is found that the petitioner herein is daughter-in-law of one Ponnammal. It is stated that both of them have exhibited the same house i.e back portion of the house was narrated by Ponnammal/mother-in-law and front portion of the house was narrated by the petitioner/Dhanalakshmi/daughter-in-law and has attempted to claim the due amount. However, the said Ponnammal had already received the amount and her case is settled. Hence, prays to dismiss this petition.



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5. On a perusal of records it is seen that the object of Indira Nainaivy Kudiyiruppu Thittam is to provide grant for construction of houses to members of scheduled castes/Scheduled Tribes, freed bonded labourers and also to non-SC/St rural poor below the poverty line. The Block Development Officer who is a authorized officer for approving and granting of the applications received under the scheme ought to have verified all those aspects before processing the applications and he has not discharged his duties properly.

6. This Court is completely dissatisfied with the act of the petitioner in misusing the Government scheme with an intention to grab the public fund. Hence, this Court is inclined to impose cost to the petitioner. The petitioner is directed to pay a sum of Rs.2,000/- ( Two Thousand only) as non-refundable deposit either through RTGS/NEFT or in cash in favour of 'The Chief Minister's Public Relief Fund' before 20.07.2024. In the result, this writ petition is dismissed. No order as to costs.



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7. The Registry is directed to post the matter under the caption  
“For Reporting Compliance” on 25.07.2024 .

**28.06.2024**

Speaking order : Yes/No  
Neutral citation : Yes/No  
Index : Yes/No  
smn  
To

1. The District Collector,  
Villupuram District,  
Villupuram
2. The Block Development Officer,  
Vallam Panchayat Union,  
Vallam, Villupuram District.
3. The Panchayat Secretary,  
Irumbuli Panchayat,  
Irumbuli Village, Gingee Taluk,  
Villupuram District



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**V.BHAVANI SUBBAROYAN, J.**

smn

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