



W.P.(MD)No.21711 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.21711 of 2024

J.Esakkiammal

... Petitioner

Vs

1. The District Collector,
Thoothukudi District,
Thoothukudi..

2. The Chairman,
District Rural Development Agency,
Collectorate, Thoothukudi.

3. The Tahsildar,
Eral Taluk, Thoothukudi District.

4. The Block Development Officer,
Srivaikundam Panchayat Union,
Srivaikundam, Thoothukudi District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the respondents to reconstruct a free house in Survey No.151/64, in Puthumanai, Vazhavallan Village, Eral Taluk, Thoothukudi District, by considering the petitioner's representations dated 09.05.2024 and 11.07.2024, within the time stipulated by this Court.



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For Petitioner : Mr.L.Robert Chandra Kumar
For respondents : Mr.A.Kannan (R1 to R3)
Additional Government Pleader
Mr.V.Om Prakash (R4)
Government Advocate

ORDER

This Writ Petition has been filed seeking a direction to the respondents to reconstruct a free house in Survey No.151/64, in Puthumanai, Vazhavallan Village, Eral Taluk, Thoothukudi District, by considering the petitioner's representations dated 09.05.2024 and 11.07.2024.

2.Heard Mr.L.Robert Chandra Kumar, learned counsel appearing for the petitioner, Mr.A.Kannan, learned Additional Government Pleader appearing for R1 to R3 and Mr.V.Om Prakash, learned Government Advocate appearing for R4. Perused the materials available on record.

3. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

4.It is case of the writ petitioner that due to heavy flood in the village on 18.12.2023, many houses were damaged. One of such house is petitioner's



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house. The Government has passed an order to reconstruct the houses, which were damaged in the flood. In this regard, the petitioner has given representations to the respondents on 09.05.2024 & 11.07.2024. However, no action has been taken. Hence, this petition has been filed.

5.It is the stand of the respondents that the petitioner has two pucca houses in D.No.6/107 and 4/83/3 at Vazhavallan Union. As per the scheme of the Government, to avail the benefit, the beneficiary should not have permanent pucca house. According to them, since the petitioner has two pucca houses, she is not eligible under the scheme introduced by the Government.

6.In view of the above, only if the petitioner meets the eligibility criteria, her application shall be considered by the respondents. When the petitioner has already have two pucca houses, this Court cannot direct the authorities to extend the benefit to the petitioner.



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7. With the above observations, this writ petition stands dismissed. No

costs.

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NCC : Yes/No
Index : Yes/No
PNM

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N.SATHISH KUMAR, J.

PNM

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