



W.P.No.1594 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 27.02.2025

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.1594 of 2024

R.Aruldoss

.. **Petitioner**

Vs.

1. Pradhan Mantri Awas Yojana (Urban)
Ministry Of Housing And Urban Affairs,
Rep. By Under Secretary to the Government Of India,
Nirman Bhawan, New Delhi 110 011

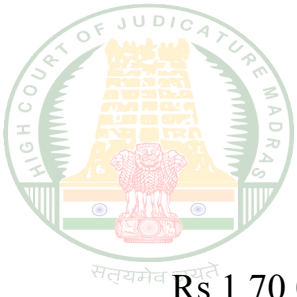
2.The District Collector
Thiruvarur District, Thiruvarur

3.The Project Director
Pradhan Mantri Awas Yojana (Urban)
Thiruvarur Collectorate Office, Thiruvarur

4.The Block Development Officer
Block Development Office, Kudavasal Taluk,
Thiruvarur District, Thiruvarur

.. **Respondents**

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, directing the 2nd respondent to consider petitioner representation dated 30.10.2023 and consequentially to grant a sum of



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Rs.1,70,000/- (Rupees one lakh seventy thousand only) for the completion of house under PMAY Scheme and pass such further or other orders.

For the Petitioner : Mr.C.Santhosh Kumar

For the Respondents : Mr.B.Ramprabhu, CGSC for R1
Mr.S.Senthil Murugan
Special Government Pleader
for RR2 & 3
Mr.Balamurugan
Government Advocate for R4

ORDER

This Writ Petition is filed with a prayer directing the 2nd respondent to consider the petitioner's representation dated 30.10.2023 and consequently to grant a sum of Rs.1,70,000/- for the completion of the house under Pradhan Mantri Awas Yojana (PMAY) scheme and for passing such further or other orders.

2. The case of the petitioner is that he is eligible for assistance under the PMAY scheme and accordingly, he applied for the scheme and also constructed his house. By an order dated 15.07.2017, the petitioner's prayer was approved and it is stated that the subsidy of Rs.1,70,000/- will be credited in his State

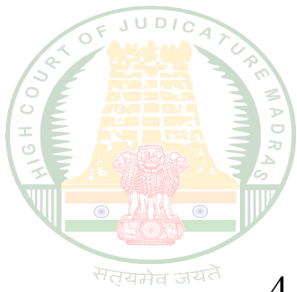


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Bank of India account. Thereafter, the amount never came to the petitioner's account. On enquiry by the petitioner by submitting a petition, on 18.10.2023, it was specifically answered by the 4th respondent that when the amount was sanctioned and was being processed, the same was erroneously credited to some other Aruldoss, S/o Arokkiyasami and that further amount will be credited to him and therefore, the petitioner made further representation, since there is no positive response, the petitioner has approached this Court.

3. Before this Court, the Writ Petition is defended by filing a counter affidavit. Suddenly in the counter affidavit, the 4th respondent would state that it is true that the petitioner had submitted an application and it is further stated that the said Aruldoss S/o Arokkiyasami was also allotted a house in the said scheme in the year 2016 and 2017 and the amount has rightly been deposited to the said Aruldoss s/o Arokkiyasami and the petitioner does not belong to economically weaker section and therefore, he is not eligible. The said counter affidavit is nothing but falsehood.



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4. The order sanctioning the amount under the scheme for the petitioner that is produced by the petitioner himself in the form of photo image is scanned and reproduced hereunder for ready reference:

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Date and Time: 11-Aug-2023 12:41:52 PM

Download Sanction Order

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Beneficiary Details

State: TAMIL NADU
District: TIRUVARUR
Block: KUDAVAASAL
Panchayat: KOONDHLUR
Village: KOONTHALUR

Beneficiary Name: aruldoss(TN1735818)

Personal Details

Father/Husband Name: rayappan Gender: Male
Category: SC Whether Minority: N
Date of Birth: 1982-07-28 Age at time of Survey: 30
No. Of Family Member: House Allotted to: Joint(Husband and Wife)
Member Id.No.: 001 House Hold No.: 0123
Registration Financial Year: 2016-2017 Nrega Job Card No.: TN-15-003-013-013/322
SBM No.: 0 House Status: Completed

Bank Details

Account No.: XXXXXXXXXXXX Bank Name: STATE BANK OF INDIA
Branch Name: XXXXXXXXXXXX Branch Code: XXXXXX
IFSC: XXXXXXXXXXXX Account status: Verified

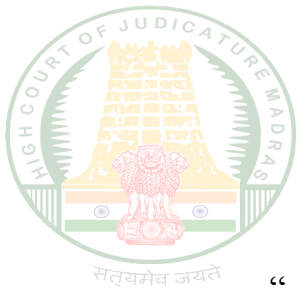
Aadhaar status Authenticated by UIDAI and verified by PFMS.

Sanction and Completion Details

Administrative Sanction No.: TN15003/2/242 Administrative Sanction Date: 15/7/2017[2016-2017]
Scheme Under which: PMAYG Unit Assistance Sanctioned(Rs.): 120000
InCash/Advice/Cheque (in Rs.): 0 In Kind(worth Rs.)nd(worth Rs.): 0
Remand Status:

Convergence Details

Utility Connection: Status MGNREGA: Status



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Order Sheet Details				Order Sheet No.	Order Sheet Date
Installment	Financial Year	Amount (In Rs.)			
1	2016-2017	26029		TN15003-PMAYG-1-12690	25/07/2017
2	2016-2017	26715		TN15003-PMAYG-2-41689	18/08/2017
3	2017-2018	26681		TN15003-PMAYG-3-60334	20/09/2017
4	2017-2018	40575		TN15003-PMAYG-4-166803	12/03/2018

FTO Details						
Installment	Financial Year	Amount (In Rs.)	FTO No.	Payment Account No.	Payment Mode	Payment Date
1	2017-2018	26029	TN2915003_250717FTO_57725	*****6728	DBT(Account based)	28/07/2017
2	2017-2018	26715	TN2915003_180817FTO_72108	*****6728	DBT(Account based)	21/08/2017
3	2017-2018	26681	TN2915003_200917FTO_83353	*****6728	DBT(Account based)	26/09/2017
4	2017-2018	40575	TN2915003_120318FTO_244102	*****6728	DBT(Account based)	19/03/2018

Inspection Details	

In which, the name of the petitioner and his father's name is correctly mentioned as Rayappan and his application number is correctly mentioned. The further documents relating to disbursal of the amount is also produced. In the said forms, in all the columns, it is categorically mentioned that the father's



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name as Rayappan and even the age, address and other job card number everything is correctly mentioned as that of the petitioner. Even the beneficiary registration number and the other particulars are given only with that of the petitioner. Except the column relating to the bank account, erroneously, the other Aruldoss's bank account details are mentioned. When the form categorically depicts that it is a manual error of filling up the bank account of some other Aruldoss and when the same was also expressly admitted vide the communication of the respondents dated 18.10.2023, there is no question of the respondents now filing a counter affidavit with fresh reasons to the contrary. If the petitioner is not eligible in the first place, sanction order ought not to have been passed. The counter is merely evasive and serves only to cover the mistake that was committed. Therefore, the respondents 2 to 4 are bound to release the said sum of Rs.1,70,000/- due to the petitioner.

5. Accordingly, the Writ Petition is disposed of on the following terms:-

(i) the respondents 2 to 4 shall ensure that the sum of Rs.1,70,000/- be released to the petitioner, within a period of eight weeks from the date of receipt



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/ production of the website uploaded copy of this order, without insisting for the certified copy;

(ii) If the said amount is not paid within the stipulated time, the same shall carry further interest at the rate of 9 % per annum from 01.01.2019 till the date of disbursement;

(iii) No costs.

27.02.2025

Neutral Citation : Yes

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To

1. The Under Secretary to the Government Of India
Pradhan Mantri Awas Yojana (Urban)
Ministry Of Housing And Urban Affairs,
Nirman Bhawan, New Delhi 110 011

2.The District Collector
Thiruvarur District, Thiruvarur

3.The Project Director
Pradhan Mantri Awas Yojana (Urban)
Thiruvarur Collectorate Office, Thiruvarur

4.The Block Development Officer
Block Development Office, Kudavasal Taluk,
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