



WEB COPY

WP.No.15978 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-06-2025

CORAM

THE HONOURABLE MRS. JUSTICE N.MALA

WP.No.15978 of 2025

and

WMP.No.18080 of 2025

R.Nallammal,
W/o.P.Ranjeeth Kumar,
D.No.2/2007, Adhi Dravidar Colony,
Periya Seeragapadi Post,
Via Veerapandi,
Salem District 636 308.

Petitioner(s)

Vs

1.The Secretary,
Rural Development and Panchayat Raj Department,
Secretariat, St.George Fort, Chennai.

2.The District Collector,
Collector Office, Salem.

3.The Block Developmental Officer,
Veeraandi Panchayat Union,
Aryanur Post, Salem 636 308.

Respondent(s)



PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records of the 3rd respondent's letter dated 02.12.2024 in Na.Ka.No.224/2022/A6 and quash the same and direct the 3rd respondent to release the funds which was sanctioned for constructing the house of the petitioner and pass such further orders.

For Petitioner: Mr.SP.Yuaraj

For Respondents: Mr.M.Rajendiran,
Additional Government Pleader

ORDER

This writ petition has been filed for issuance of a Writ of Certiorarified Mandamus, calling for the records of the 3rd respondent's letter dated 02.12.2024 in Na.Ka.No.224/2022/A6 and quash the same and direct the 3rd respondent to release the funds which was sanctioned for constructing the house of the petitioner.

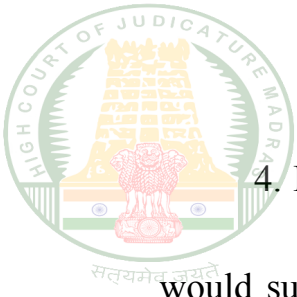
2. The petitioner and her husband are residents of the stated address and own land situated in Periya Seeragapadi Village, identified as Natham Survey Nos.123/1 and 123/2. Due to financial hardship, they were unable to construct a house earlier. However, the petitioner was selected under the 2024-2025 Kalaigiar Kanavu Illam Scheme, enabling her to begin house construction on



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the said land. While construction progressed to the roofing stage, an adjacent landowner, K.Ramasamy, who owns land in Survey No.43/3, filed a suit (O.S.No.546 of 2024) in the Principal District Munsif Court, Salem, alleging encroachment. He also submitted a representation to the 3rd respondent seeking action. Following this, on 02.12.2024, the 3rd respondent issued a notice to the petitioner alleging encroachment and instructing her to halt construction. An interim injunction application filed by K.Ramasamy was subsequently dismissed by the court on 17.02.2025.

3. Learned counsel appearing for the petitioner contends that the 3rd respondent's notice is unjustified and legally unsustainable. She highlights that the court dismissed the interim injunction sought by K.Ramasamy, finding no *prima facie* evidence of encroachment. He further states that she has complied with all statutory requirements and submitted the necessary documentation to validate her legal possession and the legitimacy of the construction. Thus, the 3rd respondent's action in halting installment disbursement under the housing scheme, based on unproven claims, is arbitrary and ought to be quashed.



4. Learned Additional Government Pleader appearing for the respondents

would submit that the representation of the petitioner dated 27.02.2025 would be considered on merits, in accordance with law, within a time frame stipulated by this Court.

5. Heard both sides and perused the materials available on record.

6. Without going into the merits of the case, the third respondent is directed to consider the representation of the petitioner dated 27.02.2025 after conducting a detailed enquiry by giving due notice to the petitioner, affording an opportunity of personal hearing, and pass appropriate orders on merits, in accordance with law, within a period of six (6) weeks from the date of receipt of a copy of this order.

In the result, the writ petition stands disposed of with the above observations and direction. No costs. Consequently, connected miscellaneous petition is closed.

27-06-2025

Cda/gv

Index: Yes/No

Speaking/Non-Speaking Order



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N.MALA., J.

Cda/gv

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