



W.P.No.21313 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 07.10.2025

Coram:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.21313 of 2023
and
W.M.P.No.20711 of 2023
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K.Inbavalli

.. Petitioner

Vs.

1. Deputy Collector (Revenue),
Revenue Department,
Puducherry - 605 001.

2. Tahsildar,
Oulgaret Taluk,
Puducherry-605 010.

3. Kumar,
Local Member of the Allotment Committee

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus to call for the records of the respondents with No.8242/DC(R)N/Rev-A4/2022/3532, dated 26.12.2022 and to quash the same and consequently to direct the respondents to allot a Tsunami Quarters under the Tsunami Housing Scheme in Periakalapet Fisherman Coloony in lieu of the house damaged in Tsunami.

For petitioner : Mr.V.Ajayakumar

For respondent: Mr.V.Vasanthakumar, Addl.G.P. (Puducherry) for RR-1 and 2

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ORDER

The petitioner has filed the present Writ Petition praying for issuance of a Writ of Certiorarified Mandamus to call for the records of the respondents with No.8242/DC(R)N/Rev-A4/2022/3532, dated 26.12.2022 and to quash the same and consequently to direct the respondents to allot a Tsunami Quarters under the Tsunami Housing Scheme in Periakalpet Fisherman Coloony in lieu of the house damaged in Tsunami.

2. Learned counsel for the petitioner submitted that the petitioner's house is in the sea-shore of Perikalapet Fisherman hamlet and the entire hamlet was severely affected and several houses including the petitioner's house, were washed away in Tsunami. The Government announced Rs.20,000/- as an immediate relief/compensation, which is also given to the petitioner. The Government of Puducherry had developed the scheme for constructing houses for the Tsunami affected persons and handed over it to the affected persons. The list was prepared by the Tahsildar on the same day and the next day of Tsunami, which is the real list of persons affected by the Tsunami disaster and the benefits must be extended to the really affected persons, whose names figured in the said list. The petitioner's name was also considered for grant of constructed house under the Tsunami scheme, since the petitioner's house was completely destroyed. The Tsunami houses were constructed and allotment was also made

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and the petitioner is also the victim and no order allotting house was passed, and hence, the petitioner earlier filed W.P.No.20515 of 2014 challenging the denial of the house. This Court, by order dated 01.04.2022, remitted the matter to the respondent therein for re-consideration and the impugned order was passed rejecting the claim of the petitioner for allotment of new house.

3. Learned counsel for the petitioner contended that at the time of Tsunami, the petitioner was studying and is a major, as he was more than 18 years. However, house was not allotted to the petitioner, when the fact remains that his house was also washed away in the Tsunami. Equal treatment is sought to be made as was done in the case of other persons affected by the Tsunami.

4. As the petitioner was a member of the Fisherman Co-operative Society and had been residing in the Fishermen Colony at the time of Tsunami and the petitioner was also given the immediate relief granted by the Government on the next day of Tsunami for the damage of house and hence, the petitioner cannot be denied of a house being constructed to the Tsunami affected families.

5. The main bone of contention of the petitioner is that several persons who were residing elsewhere and who are not having any connection with Periakalapet, were granted houses under the Tsunami scheme, whereas, the petitioner was not given a house, even though his house was completely damaged.

6. Learned Additional Government Pleader appearing for the respondents



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1 and 2, drew the attention of this Court to the various grounds raised by the petitioner and submitted that the houses were allotted based on the damage to the houses of the persons affected in the Tsunami and there is no violation in allotment of the house under the scheme of the Government and hence, the learned Addl.G.P. prayed to dismiss the Writ Petition.

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

8. It is the claim of the petitioner that though she was provided the immediate relief, but her case was not considered for allotment of a house, as her house was devastated during the Tsunami. A perusal of the order passed by the respondents reveals that the petitioner was married way back on 17.01.2010 and that she is residing along with her husband and in-laws and at the time of the Tsunami, she had come to the house of her father, viz., Arumugam to visit him and that she is not a resident of the said locality, which was affected by the Tsunami. It is further evidenced from the impugned order that the petitioner's father and his brothers, who were the residents of the Tsunami affected area, were allotted a house.

9. The main grievance expressed by the petitioner is that she was not provided with a house though persons of the locality were provided with a house. It is to be pointed out that at the time when the Tsunami caused havoc, the petitioner was staying along with her father and was studying, and therefore, she got married and settled along with her husband. Merely because her name was



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taken to be a resident of the locality, would not confer her a right to a house, when her father with whom she was living, has been allotted a house and after marriage, the petitioner had gone away to live with her husband. Merely because the petitioner was a resident of the locality at the time of the Tsunami, the same cannot be taken to be a ground for allotment of house to her. Further, it is not disputed by the petitioner that her father and his brothers, who are residing in the locality, have been allotted a house. Such being the case, the petitioner having married and settled elsewhere, cannot seek for allotment of a house, when she is not a resident of the said place. Rightly appreciating all the aforesaid aspects, the impugned order had come to be passed, which is just and reasonable and does not suffer from any perversity.

10. Hence, for all the reasons set out above, the relief sought for by the petitioner in the present Writ Petition is rejected and the Writ Petition is dismissed. There shall be no order as to costs. Consequently, the miscellaneous petition is closed.

07.10.2025

CS

To

1. Deputy Collector (Revenue),
Revenue Department,
Puducherry - 605 001.
2. Tahsildar,
Oulgaret Taluk, Puducherry-605 010.

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