



WEB COPY

WP No. 42748 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 15-12-2025**

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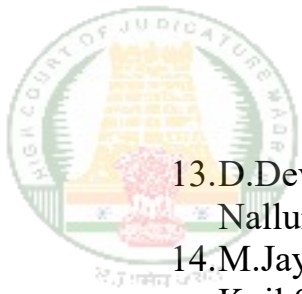
**THE HON'BLE MR JUSTICE ABDUL QUDDHOSE**

**WP No. 42748 of 2025**

**and**

**W.M.P.No.47816 of 2025**

1. A.Kothandapani, S/o.Arunachalam, No.20,  
Mariamman Koil Street, Nallurpet,  
Puducherry-605 107
2. Ezhilvendan Kothandapani, S/o.Kothandapani,  
No.20, Mariamman Koil Street, Nallurpet,  
Puducherry-605 107
3. K.Thamilvendan, S/o.Kothandapani,no.20,  
Mariamman Koil Street, Nallurpet,  
Puducherry-605 107
4. E.Pazhani, S/o.Ettiyan, No.5, Second Cross  
Stret, Nallurpet, Puducherry-605 107
5. S.Mathivathana, W/o.Selvam, Plot No.42,  
Philips Nagar, Nallur, Thirubuvanaai,  
Puducherry-605 107
6. GNANAPRAKASH, S/o.Samikannu, No.22,  
Mariamman Koils Street, Nallurpet,  
Puducherry-605 107
7. SUGANDHI, D/o.Vijayaveeram, No.3, Second  
Cross Street, Pudhu Colony, Nallurpet,  
Puducherry-605 107
8. D.Jayagobiraj, S/o.Devarasu, No.1, New  
Colony, Nallur, Puducherry-605 107
9. S.Gnanasekar, S/o.Samikkanu, No.6, Post  
Office Street, Nallurpet, Puducherry-605 107
- 10.M.Anjalai, W/o.Mohandoss, No.9, Mariamman  
Koil Street, Nallurpet, Puducherry-605 107
- 11.U.Govindammal, W/o.Udayakumar, No.4,  
Second Cross Street, Nallurpet,  
Puducherry-605 107
- 12.K.Ezhayappan, S/o.Kuppan, No.8, Mariamman  
Koil Street, Nallurpet, Puducherry-605 107



- 13.D.Devapriya, D/o.Devaraj, No.1, New Colony,  
Nallurpet, Puducherry-605 107
- 14.M.Jayalaskhmi, W/o.Moorthi, No.8, Veeran  
Koil Street, Nallurpet, Puducherry-605 107
- 15.A.Panneerselvam, S/o.Anandhan, No.16,  
Mariamman Koil Street, Nallurpet,  
Puducherry-605 107
- 16.ANJUGAM, W/o.Moorthy, First Cross Street,  
Nallurpet, Puducherry-605 107
- 17.V.Sasikumar, S/o.Vinayagmoorthi, No.165,  
Iyyanar Kovil Street, Nallurpet,  
Puducherry-605 107
- 18.E.Vijay, S/o.Eganathan, No.7, Third Cross  
Street, Nallurpet, Puducherry-605 107
- 19.BALARAMAN, S/o.Sukkiran, No.7, Third  
Cross Street, New Colony, Nallurpet,  
Puducherry-605107
- 20.DHAYANIDHI, No.4 Pudhu Colony Street,  
Nallurpet, Puducherry-605107
- 21.LAKSHMANAN, No.6, Third Cross Street,  
New Colony, Nallurpet, Puducherry-605107
- 22.P.Vijaya, W/o.Pakkiri, No.3, New Colony,  
Nallurpet, Puducherry-605107

..Petitioner(s)

Vs

1. The Union Territory Of Puducherry, Rep By Its  
Secretary, Adi Dravidar Welfare Department,  
Puducherry
2. The Director, Department Of Survey And Land  
Records, Puducherry
3. The Director, Adi Dravidar Welfare And  
Schedule Tribes, Welfare Department,  
Puducherry

..Respondent(s)

calling for the records relating to the Memorandum dated  
16.9.2025 issued by the 2nd respondent bearing No.7528/DOS/ST-IIR1-5/2023  
and to quash the same and consequently direct the 2nd respondent to issue free



house site patta to the petitioners in R.S.No.75/5 of Madagadipet village, Vaillianoor Taluk, Puducherry District.

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For Petitioner(s): Mr.C.P. Sivamohan

For Respondent(s): Mr.V.Vasanthakumar, AGP

### **ORDER**

This writ petition has been filed challenging the impugned memorandum dated 16.09.2025 issued by the second respondent rejecting the petitioners' request seeking for issuance of free house site patta in their favour in the property bearing R.S.No.75/5, Madagadipet Village, Vaillianoor Taluk, Puducherry District. While rejecting their request under the impugned memorandum, the second respondent had given the following reasons:-

- (a) Some of the petitioners have exceeded the income ceiling limit of Rs.76,000/-, and therefore, they are not entitled for free house site patta.
- (b) Some of the petitioners are non-residents, and therefore, they are not entitled for free house site patta.

2. Aggrieved by the impugned memorandum, the petitioners have filed this writ petition by raising the following grounds:-

- (a) The impugned memorandum has been passed by total non-application of mind.
- (b) G.O.Ms.No.05/025/CS (ADW & STW), Puducherry, dated



10.03.2025, which was notified in Gazette on 17.03.2025, stipulates ceiling limit as Rs.8,00,000/- and not Rs.76,000/- as stipulated under the impugned memorandum.

(c) The impugned memorandum is a cryptic order and does not cite any any Government Orders or guidelines fixing eligibility criteria in respect of annual family income of persons who are entitled for free house site patta.

3. The learned counsel for the petitioners relies upon G.O.Ms.No.05/025/CS (ADW & STW), Puducherry, dated 10.03.2025, and submits that the second respondent in the impugned memorandum has failed to consider the said Government Order while rejecting the request of the petitioners for grant of house site patta in their favour. According to him, if the said Government Order is considered, the petitioners would have been eligible for free house site patta as prayed for by them in their representation, since all the petitioners belong to Scheduled Caste community.

4. On the other hand, learned Additional Government Pleader (Pondicherry) submits that G.O.Ms.No.05/025/CS (ADW & STW), Puducherry, dated 10.03.2025, does not apply to the department of Directorate of Survey and Land Records, Puducherry. According to him, since the petitioners have not satisfied the eligibility criteria for grant of free house site patta, their request for allotment of the same has been rejected under the impugned memorandum.



5. As seen from the impugned memorandum, as rightly contended by the learned counsel for the petitioners, it is a cryptic order without giving specific reasons by placing reference to Government Orders as to why the petitioners' request for issuance of free house site in their favour cannot be granted.

6. Under the impugned memorandum, the second respondent, while rejecting the petitioners' request for allotment of free house site patta on the ground that they have not satisfied the eligibility criteria with regard to income ceiling limit as well as on the ground that some of the petitioners are non-residents, has not referred to any Government Order for coming to such a conclusion. Being a cryptic order that has not considered the grounds raised by the petitioners in this writ petition, in the interest of justice, this Court deems it fit to quash the impugned memorandum issued by the second respondent, and remand the matter back to the second respondent for fresh consideration on merits and in accordance with law, after giving the petitioners an opportunity to raise all grounds and rely on the relevant Government Orders, which, according to them, enable them to get free house site pattas. This Court is not expressing any opinion on the merits of the petitioners' case. Accordingly, this writ petition is disposed of in the following manner:-

(a) The impugned memorandum dated 16.09.2025 passed by the second respondent is quashed; and the matter



is remanded back to the second respondent for fresh consideration on merits and in accordance with law.

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(b) The petitioners are directed to submit a detailed explanation giving reasons as to why they are entitled to be eligible for free house site patta by placing reliance on the relevant Government Orders, within a period of two weeks from the date of receipt of a copy of this order.

(c) On receipt of such an explanation either from the petitioners or through their counsel, the second respondent shall pass orders on merits and in accordance with law, after giving due consideration to the explanation submitted by the petitioners, within a period of eight(8) weeks thereafter.

(d) However, it is made clear that the order to be passed by the second respondent should be a speaking order with regard to the contentions raised by the petitioners in their explanation.

No Costs. Connected W.M.P.No.47816 of 2025 is closed.

**15-12-2025**

Neutral Citation: Yes/No  
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WP No. 42748 of 2



To

1. The Union Territory Of Puducherry, Rep By Its Secretary, Adi Dravidar Welfare Department, Puducherry
2. The Director, Department Of Survey And Land Records, Puducherry
3. The Director, Adi Dravidar Welfare And Schedule Tribes, Welfare Department, Puducherry



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**ABDUL QUDDHOSE, J.**

**RKM**

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