



W.P.(MD)No.4156 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.4156 of 2025

and

W.M.P.(MD)No.3003 of 2025

K.Annapandi

... Petitioner

-VS-

1.The Block Development Officer (V.P),
Kalakkad, Nanguneri Taluk,
Tirunelveli District.

2.The Deputy Block Development Officer (Block – 3),
Kalakkad Panchayat Union,
Tirunelveli District.

3.The Seevalaperi Village Panchayat,
Represented by its President,
Seevalaperi, Kalakkad Panchayat Union,
Nanguneri Taluk, Tirunelveli District.

4.Kalaiselvi

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to complete the proceedings initiated in Na.Ka.No.A3/1432/2024, dated 10.12.2024 and pass final orders on merits and in accordance with law, within the time fixed by this



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Court and also direct the respondents 1 and 2 to furnish the copy of the order allotting the scheme house to the fourth respondent.

For Petitioners : Mr.H.Arumugam
For R1 to R3 : Mr.G.V.Vairam Santhosh
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to the second respondent to complete the proceedings initiated in Na.Ka.No.A3/1432/2024, dated 10.12.2024 and pass final orders on merits and in accordance with law, within the time frame to be fixed by this Court and also direct the respondents 1 and 2 to furnish the copy of the order, allotting the scheme house to the fourth respondent.

2. With the consent of both sides, this Writ Petition is disposed of at the admission stage itself.

3. Since no adverse orders are going to be passed against the fourth respondent, notice to the fourth respondent is hereby dispensed with.

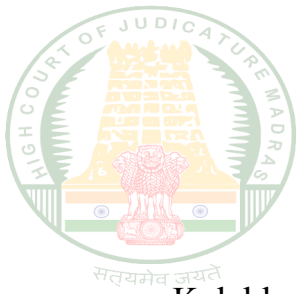


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4. The petitioner submits that he purchased a housing site measuring 1207.5 sq.ft. in Ayan Punja S.No. 65/1A, situated in Seevalperi Village, Kalakkad Panchayat Union, Nanguneri Taluk, through a registered sale deed dated 03.04.2014. Meanwhile, the fourth respondent appears to have purchased 1.5 cents of land in the same survey number from Amaresan, who is the brother of the petitioner's vendor. However, Amaresan was not allotted the said 1.5 cents in the said survey number. It is admitted that Amaresan had already sold his property, which he obtained under a family arrangement dated 19.01.1987, to the Indian Pendhekosthe Church of God Prayer Hall, Koodangulam, through a registered sale deed dated 28.01.1987.

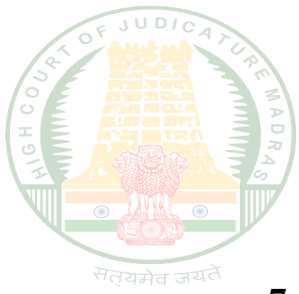
5. The petitioner further submits that based on the fraudulent sale deed, the fourth respondent applied for a subsidy under the Kalaignarin Kanavu Illam scheme. Despite the petitioner's document dated 03.04.2014 being clearly recorded in the encumbrance, the respondents 1 and 2 selected the fourth respondent as a beneficiary without verifying the encumbrance. The fourth respondent then attempted to put up construction on the property. Therefore, the petitioner submitted a representation dated 03.12.2024 to the Commissioner of



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Kalakkad Panchayat Union through registered post, explaining his title to the property and highlighting the fraudulent document created in favour of the fourth respondent.

6. The petitioner further submits that despite receiving the representation and conducting a physical inspection by the Panchayat, no action was taken. Hence, the petitioner submitted a petition to the District Collector on 09.12.2024 and also gave a representation to the Project Director on 16.12.2024. In the meantime, the first respondent issued a proceeding dated 10.12.2024, directing the second respondent to inspect the property and submit a report based on the petitioner's complaint dated 06.12.2024. Subsequently, the Commissioner of Kalakkad Panchayat Union, through proceedings dated 11.12.2024, directed the Tahsildar of Nanguneri to survey the property in S.No.65/1A to determine eligibility for the benefits under the scheme. Despite receiving the petitioner's representation, a portion of the subsidy was released to the fourth respondent, even though it was known that she had no title to the property. Therefore, the petitioner has filed the present writ petition.



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7. Heard the learned counsel appearing for the parties.

8. Considering the above said facts and circumstances of the case, there shall be a direction to the second respondent herein to complete the proceedings initiated in Na.Ka.No.A3/1432/2024, dated 10.12.2024 and pass final orders on merits and in accordance with law, within a period of two months from the date of receipt of a copy of this order.

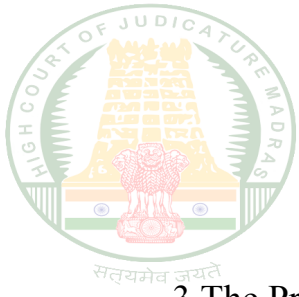
9. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

NCC : Yes / No
Index : Yes / No
smn2

18.02.2025

To:-

- 1.The Block Development Officer (V.P),
Kalakkad, Nanguneri Taluk,
Tirunelveli District.
- 2.The Deputy Block Development Officer (Block – 3),
Kalakkad Panchayat Union,
Tirunelveli District.



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3. The President,
Seevalaperi Village Panchayat,
Seevalaperi, Kalakkad Panchayat Union,
Nanguneri Taluk, Tirunelveli District.



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VIVEK KUMAR SINGH, J.

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