



W.P(MD)No.4952 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.07.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

W.P(MD)No.4952 of 2023

and

W.M.P(MD)Nos.4621, 4622, 4623, 9825 & 9826 of 2023

- 1.G.G.Indumathi
- 2.K.A.Jamuna
- 3.K.S.Radha
- 4.G.G.Shakila
- 5.K.G.Sakthimai
- 6.T.K.Hemalatha
- 7.T.R.Krishnamoorthy
- 8.Sathiya
- 9.T.R.Vijayalakshmi
- 10.L.R.Subramanian
- 11.S.B.Jeyanthi
- 12.K.N.Chandra

... Petitioner

vs.

- 1.The Union of India,
Represented by its Home Secretary,
Ministry of Home Affairs,
North Block,
New Delhi - 110 001.



W.P(MD)No.4952 of 2023

WEB COPY

- 2.The Union of India,
Represented by its Secretary,
Department of Personnel and Training,
Ministry of Personnel, Public Grievances and Pensions,
North Block, New Delhi.
- 3.The State of Tamil Nadu,
Represented by its Chief Secretary,
Secretariat, Chennai.
- 4.The State of Tamil Nadu,
Represented by its Revenue Secretary,
Revenue Department,
Secretariat, Chennai.
- 5.The District Collector,
Madurai District, Madurai.
- 6.The District Revenue Officer,
Madurai District, Madurai.
- 7.Revenue Divisional Officer,
Madurai.
- 8.The Tahsildar,
Madurai South Taluk, Madurai.
- 9.The Tahsildar,
Madurai North Taluk, Madurai.
- 10.The Tahsildar,
Madurai East Taluk, Madurai.
- 11.The Tahsildar,
Madurai West Taluk, Madurai.



W.P(MD)No.4952 of 2023

12. The Tahsildar,
Melur Taluk, Madurai.

13. K.K.Ramesh

... Respondents

(R – 13 is impleaded vide order dated 28.03.2023 in
W.M.P(MD)No.6077 of 2023)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to the fifth respondent impugned order Na.Ka.No.64940/2011/J-4 dated 30.12.2022 quash the same and directing respondents 1 to 4 to instruct the fifth respondent to grant suitable remedies to give free house site pattas in RS No. 13 Nilayoor I Bit, Thiruparangundram Taluk, Madurai and other remedies.

For Petitioner : Mr.R.Ramachandran

For RR 1 & 2 : Mr.K.Gokul
Central Government Senior Panel Counsel

For RR 3 to 12 : Mr.V.Om Prakash
Government Advocate

For R – 13 : Mr.K.K.Ramesh
Party-in-Person

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM, J.)

The Writ Petition has been instituted challenging the order of the first respondent/the District Collector, Madurai dated 30.12.2022.



W.P(MD)No.4952 of 2023

WEB COPY

2.The petitioners had submitted applications seeking free house site patta under a Government welfare scheme. Since no action was initiated, the petitioners filed W.P(MD)Nos.11361 to 11366 of 2012, 12486 of 2012 & 16336 of 2013 and this Court directed the District Collector, Madurai to consider the representation and pass appropriate orders. Accordingly, the District Collector, Madurai, conducted an enquiry after affording due opportunity to the parties and passed the impugned order dated 30.12.2022.

3.The order impugned reveals that a person earning more than the prescribed ceiling is not eligible to avail the benefit of free house site patta under the Government welfare scheme. Since the District Collector, Madurai found that 14 applicants were earning over and above the income ceiling fixed by the Government, their applications were rejected. Though the District Collector, Madurai in its original order found that Tmt.K.N.Chandra and Tmt.T.R.Vijayalakshmi are eligible to avail the benefit for free house site patta, they have also filed the Writ Petition on the ground that free house site patta has not been granted to them.



W.P(MD)No.4952 of 2023

WEB COPY

4.In view of the said contrary view of the District Collector, Madurai a decision is to be taken in this regard. That apart, several years lapsed. Free house site patta cannot be granted to ineligible persons. Correctness of the eligibility ascertained also to be revisited.

5.A free house site patta can never be claimed as an absolute right. It is a welfare measure and therefore, the eligibility criteria fixed by the Government is to be scrupulously followed. Free house site pattas are granted only to the homeless poor people and therefore, the income criteria is of paramount importance.

6.In the present case, some of the petitioners were found to have been in possession of residential houses. Therefore, this Court does not find any infirmity in respect of the decision taken by the District Collector, Madurai or in the reasons furnished in the order impugned.

7.Since some of the persons who are found eligible for free house site also filed a Writ Petition seeking to quash the very same orders of the District Collector on the ground that free house site patta has not been granted to them.



W.P(MD)No.4952 of 2023

WEB COPY

May that as it be, the District Collector, Madurai should revisit in this aspect for the purpose of taking a fresh decision.

8.In view of the above reasons, this Writ Petition stands dismissed.

There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

[S.M.S.,J.] & [A.D.M.C.,J.]
14.07.2025
(5/7)

NCC : Yes / No
Index : Yes / No
Internet : Yes
ps

To

- 1.The Home Secretary,
Represented by the Union of India,
Ministry of Home Affairs,
North Block,
New Delhi - 110 001.
- 2.The Secretary,
Represented by the Union of India,
Department of Personnel and Training,
Ministry of Personnel, Public Grievances and Pensions,
North Block, New Delhi.



W.P(MD)No.4952 of 2023

WEB COPY

- 3.The Chief Secretary,
Represented by the State of Tamil Nadu,
Secretariat, Chennai.
- 4.The Revenue Secretary,
Represented by the State of Tamil Nadu,
Revenue Department,
Secretariat, Chennai.
- 5.The District Collector,
Madurai District, Madurai.
- 6.The District Revenue Officer,
Madurai District, Madurai.
- 7.Revenue Divisional Officer,
Madurai.
- 8.The Tahsildar,
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Madurai North Taluk, Madurai.
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W.P(MD)No.4952 of 2023

S.M.SUBRAMANIAM, J.
and
DR.A.D.MARIA CLETE, J.

ps

ORDER MADE IN
W.P(MD)No.4952 of 2023

DATED : 14.07.2025
(5/7)