

W.P(MD)No.19562 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.07.2025

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD)No.19562 of 2025

and

W.M.P(MD)Nos.15024 and 15025 of 2025

Adikkan Kathalagu

... Petitioner

Vs.

1.The District Collector,
Office of the Collectorate,
Pudukkottai.

2.The Assistant Director of Panchayat,
Office of the Assistant Director of Panchayat,
Collectorate Complex,
Pudukkottai District.

3.The Block Development Officer (Village Panchayat),
Block Development Office,
Ponnamaravathi,
Pudukkottai District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order of the third respondent vide his proceedings in Na.Ka.Thi5/426/2025 dated 26.05.2025 and quash the same as illegal and to direct the third respondent to release the balance instalments for



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the construction of the House of the Petitioner under the PMAY-G Scheme ID
No.TN 2443775.

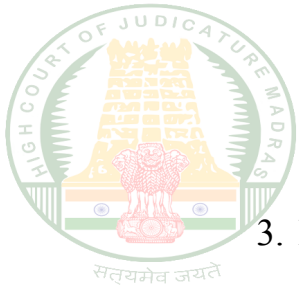
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For Petitioner	: Mr.D.Senthil
For R1 & R2	: Mr.D.Ghandiraj Special Government Pleader
For R3	: Mr.S.Shaji Bino Special Government Pleader

ORDER

The petitioner is before this Court challenging the impugned communication/notice, dated 26.05.2025, whereby the incentive granted to the petitioner under the Pradhan Mantri Awas Yojana Scheme has been withdrawn.

2. The specific case of the petitioner is that the scheme was sanctioned to the petitioner as early as on 10.09.2018 and a sum of Rs.26,039/- was also sanctioned towards the first installment. The second installment was granted to the petitioner on 07.10.2019 for a sum of Rs.26,715/-.

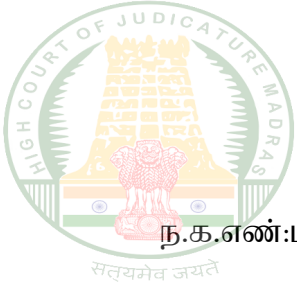


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3. It is the further case of the petitioner is that the petitioner has also completed the construction. In this connection, the learned counsel for the petitioner has drawn attention to the notice affixed on the petitioner's property, which indicates that a sum of Rs.1,70,000/- was sanctioned during 2017-2018 and that the respondents have wrongly cancelled the incentive granted to the petitioner for the year 2017-2018.

4. On a query as to whether the petitioner has replied to the notice mentioned in the impugned order, dated 26.05.2025 vide communication dated 19.08.2024 bearing न.कृति5/2459/2021, the learned counsel for the petitioner submits that the petitioner has not replied to the same. However, he further submits that the property is also being assessed for tax and petitioner has been paying the tax.

5. The learned Special Government Pleader for the respondents submits that a detailed order was passed by the Block Development Officer, dated 06.08.2024 bearing reference न.कृति5/2459/2019 stating that the petitioner has not constructed the house as per the aforesaid scheme. He further submits that by another proceedings dated 12.08.2024 bearing reference



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ந.க.எண்:பி1/4883/2023, wherein it has been clearly stated that about 1289 beneficiaries have failed to construct houses as per the aforesaid scheme so that the sanction has been cancelled and amounts have been ordered to be recovered.

6. Having considered the submissions made by the learned counsel for the petitioner and the learned Special Government Pleader for the respondents, I am of the view that although the petitioner failed to reply to the notice that preceded the impugned order, the petitioner deserves a chance, considering the fact that the property seems to have been assessed for property tax.

7. The learned Special Government Pleader for the respondents submits that that the property tax is in the name of the petitioner's father.

8. Under these circumstances, the impugned order dated 26.05.2025 bearing reference ந.க.தி5/426/2025 is quashed and the case is remitted back to the third respondent to pass a fresh order after hearing the petitioner. The petitioner shall produce necessary documents and appear before the third



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respondent for fresh enquiry. The petitioner is directed to co-operate with the respondents. This exercise shall be completed within a period of 6 weeks from the date of receipt of a copy of this order.

9. The writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

21.07.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

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Pudukkottai.
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C.SARAVANAN, J.

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