

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 16.4.2015

Coram :

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.11049 of 2015
and MP.No.1 of 2015

M.Aithal .. Petitioner
vs.

1. The State
Rep. by its Secretary to Government
Adi Dravidar and Tribal Welfare Department
Government of Tamil Nadu
Fort St.George, Secretariat
Chennai - 600 009
2. The District Collector
Salem District, Salem.
3. The Revenue Inspector
Nangavalli, Mettur Taluk
Salem District
4. The Special Tahsildar
(Adi Dravidar Welfare)
Omalur Taluk, Omalur
Salem District
5. The Village Administrative Officer
Veerakkal Village, Mettur Taluk
Salem District .. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the Respondents herein to consider the representation dated 02/03/2015 of the petitioner herein and forbear the Respondents herein, their men, agents, servants, Subordinates or any other person or persons claiming through them or authorized by them from, in any manner, granting Patta in respect of acquired lands of an extent of 2.27.0 hectares in Survey No.283/1, now sub-divided as survey No.283/1B, in Veerakkal Village, Mettur Taluk Salem District to persons who are not residents of Veerakkal village, Mettur Taluk, salem District.

For Petitioner : Mrs. AL.Ganthimathi

For Respondents : Mr.S.T.S.Murthy
Government Pleader

ORDER

(Order of the Court was made by T.S.SIVAGNANAM, J.)

Heard the learned counsel for the petitioner. Learned Government Pleader accepts notice for the respondents.

2. This writ petition, designed as Public Interest Litigation, has been filed with a prayer to direct the respondent to consider the representation dated 02.3.2015 made by the petitioner and to forbear the respondents from allotting or granting Patta in respect of the lands, which were acquired for the purpose of granting house site patta to Adi Dravidar people.

3. The petitioner would state that the lands in question comprised in S.No.283/1, sub divided as Survey No.283/1B, Veerakkal Village, Mettur Taluk, Salem District, were acquired under the provisions of the Tamil Nadu Harijan Welfare Scheme Act and Award was passed on 12.2.1999. It is submitted that initially, pattas were granted to Adi Dravidar people and subsequently, certain ineligible people were granted patta and on an objection made by the petitioner, the same were cancelled. However, the petitioner now apprehends that the respondents would grant patta in respect of the remaining plots to ineligible persons. Therefore, the petitioner submitted a representation and since the same has not been considered, he is before this Court. Prima facie it appears that this writ petition has been filed based on apprehension.

4. The learned Government Pleader, on instructions, submitted that out of 120 plots, pattas were issued to 66 persons in the year 2000 and 36 pattas were issued in the year 2002 and in respect of the remaining plots, patta would be issued to the eligible persons. The learned Government Pleader would further submit that the writ petition is politically motivated since the petitioner belongs to different political party.

5. Be that as it may. Since the lands have been acquired for a particular purpose, namely, grant of free house site patta to Adi dravidar people, the writ petition is disposed of with a direction to the respondents 2 and 4 to allot and grant pattas to the persons, who are eligible after due verification. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

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Veerakkal Village, Mettur Taluk
Salem District

+ 1 cc to Ms. A.L. Gandhimathi, Advocate SR.20799

+ 1 cc Government Pleader Sr.21068

BKY(CO)
EU 28.04.2015

W.P.No.11049 of 2015

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