

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2015

CORAM

THE HON'BLE Mr. JUSTICE M.M.SUNDRESH

W.P.Nos.2321 to 2331 of 2014
& W.P.No. 34839 of 2013
& connected M.Ps.

B.Palaniammal	..Petitioner in W.P.No.2321 of 2014
M.Lakshmi	..Petitioner in W.P.No.2322 of 2014
K.Govindaraj	..Petitioner in W.P.No.2323 of 2014
Amutha	..Petitioner in W.P.No.2324 of 2014
S.Rejena	..Petitioner in W.P.No.2325 of 2014
D.SundaraRaj	..Petitioner in W.P.No.2326 of 2014
S.SubbuLakshmi	..Petitioner in W.P.No.2327 of 2014
D.Mani	..Petitioner in W.P.No.2328 of 2014
A.Jeyaseeli	..Petitioner in W.P.No.2329 of 2014
G.SenthilKumari	..Petitioner in W.P.No.2330 of 2014
G.Saradha	..Petitioner in W.P.No.2331 of 2014

-vs-

1. The State of Tamil nadu
Secretary to Government,
Backward, Most Backward Class &
Minorities Welfare Department,
Secretariat, Fort St.George, Chennai.

2.The District Collector,
Salem District.

3.The Tahsildar,
Salem District.

... Respondents in
W.P.Nos.2321 to 2331 of 2014
W.P.Nos.2321 to 2331 of 2014:-

Petition filed under Article 226 of The Constitution of India praying to issue a writ of Mandamus directing the respondents herein to provide house site for 2 cents and issue Patta for the same in R.S.No.106/2 in Maramangalathupatti Village, Salem Taluk & District to the petitioner within the time frame by considering the petitioner's representation dated 17.09.2013.

W.P.No.34839 of 2013 :

M.E.Selvam

... Petitioner

-vs-

1. The State of Tamil nadu
rep. by its Secretary to Government,
Backward, Most Backward Class &
Minorities Welfare Department,
Secretariat, Fort St.George,
Chennai.

2.The District Collector,
Salem District.

3.The Tahsildar, Salem District.

... Respondents

W.P.No.34839 of 2013 pleased to issue a Writ of Mandamus or any other appropriate writ or order or direction in the nature of writ directing the respondents herein to provide house for 2 cents each and issue patta for the same in R.S.No.106/2 in Maramangalathupatti village Salem Taluk & District to the 75 families belonging to scheduled caste including the petitioner with in the time frame fixed by this Honourable court by considering the petitioners representation dated 8.7.2013 and pass any other order this Hon'ble Court may deem fit and thus render justice.

For Petitioner : Mr.I.C.Vasudevan
For Respondents : Mr.Dig Vijayapandian

COMMON ORDER

The issue involved in all these writ petitions is one and the same. Hence, they have been taken up together and a common order is passed.

2. It is the case of the petitioners that they were in possession of the land situated in S.No.106/2 in Maramangalathupatti Village, Salem District, however, they have been forcibly evicted despite the fact that they belong to Adi Dravidar Community, and have been in possession for few decades. Therefore, seeking relief based upon the Government Order which provides for allotment of 2 cents for the purpose of constructing houses to Adi Dravidar Scheduled Caste persons, the petitioners are before this Court.

3. In the counter affidavit filed it has been stated that for quite number of years S.No.106/2 in Maramangalathupatti Village, is without any encroachment. However, as and when the petitioners approach the Adi Dravidar Welfare Department, their request for allotment of houses would be considered.

4. Considering the same, these writ petitions are disposed of giving liberty to the petitioners to approach the Tahsildar, Adi Dravidar Welfare Department. As and when such requests are made by the petitioners, the said authority will have to consider the same based upon the relief granted in the Government Orders governing the same. No costs. Consequently, connected miscellaneous petitions are closed.

sd/-
Assistant Registrar(J)

/TRUE COPY/

Sub-Assistant Registrar

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To,

1. The Secretary to Government,
The State of Tamil nadu,
Backward, Most Backward Class &
Minorities Welfare Department,
Secretariat, Fort St.George,
Chennai.
2. The District Collector,
Salem District.
3. The Tahsildar,
Salem District.

Copy to:
The Tahsildar
Adi Dravidar Welfare Department, Salem.

+1 CC to Govt.Pleader. SR.NO. 67233

+ 1 cc to Mr.I.C.Vasudevan, Advocate Sr 67144 (27/1/16)

CO-HLA
JD 11/01/2016

W.P.Nos.2321 to 2331 of 2014
& W.P.No. 34839 of 2013