

IN THE HIGH COURT OF JUDICATURE AT MADRAS

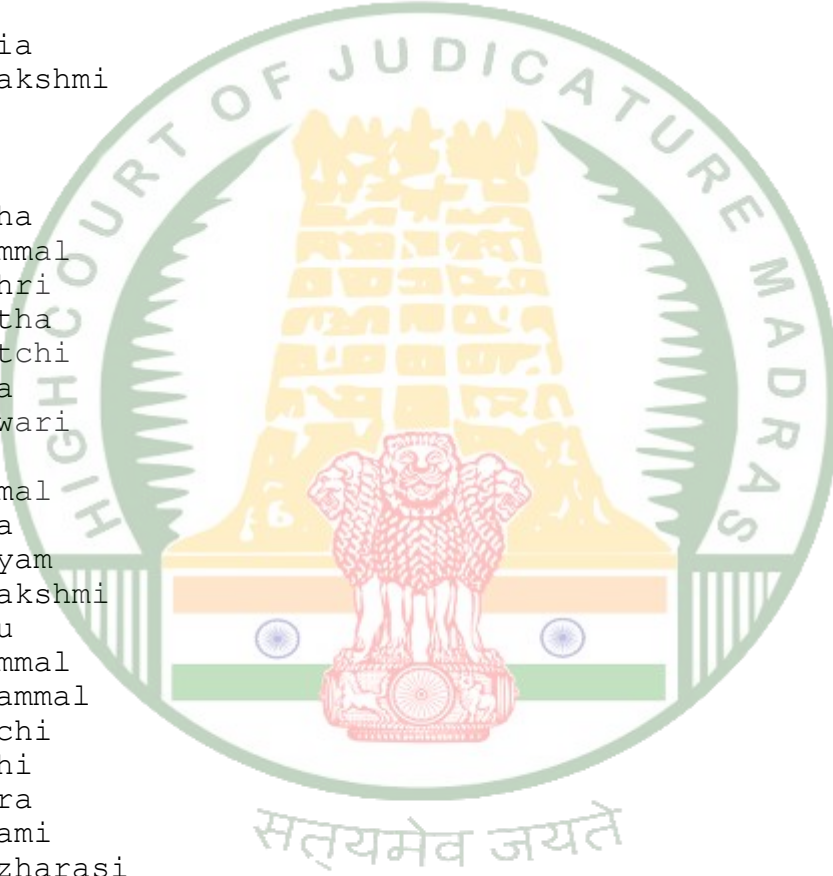
DATED 03.02.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.2468/2015 & MP.No.1/2015

1.R.Saraswathy
2.P.Velvizhi
3.R.Kala
4.P.Victoria
5.K.Dhanalakshmi
6.S.Rani
7.T.Santhi
8.E.Rani
9.S.Vasanth
10.R.Muniammal
11.K.Savithri
12.B.Biruntha
13.R.Meenatchi
14.K.Indira
15.A.Rajeswari
16.M.Usha
17.N.Nagammal
18.T.Amudha
19.P.Bakkiyam
20.T.Rajalakshmi
21.B.Sarasu
22.S.Kaliammal
23.R.Mariyammal
24.K.Kamatchi
25.S.Revathi
26.J.Chandra
27.M.Sivagami
28.S.Thamizharasi
29.M.Kalyani
30.S.Gowri
31.M.Dhanalakshmi
32.B.Alamelu
33.M.Valli
34.B.Sumathi
35.M.Kanga
36.S.Varalakshmi
37.S.Selvi
38.G.Chitra



WEB COPY

.. Petitioners

Versus

- 1.The Secretary to government
State of Tamil Naadu
Adi Dravidar & Tribal Welfare Dept.,
Fort St George, Chennai 600 009.
- 2.The District Collector
Villupuram District, Collectors Office
Villupuram.
- 3.The District Revenue Officer
District Collector's office,
Villupuram 605 602.
- 4.The District Backward Classes &
Minorities Welfare Officer
Villupuram 605 602.
- 5.The Special Tahsildar
Land Acquisition
{Adi Dravidar welfare &
Scheduled Tribe Welfare}
Villupuram Taluk Office
Villupuram 605602.

..Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondents herein forthwith handover the plots bearing No.1 to 13, 14 to 38 and 40 in the layout of house sites in RS.No.85/2 measuring 0.82.0 ares in Kandamangalam village, Villupuram District to the petitioners herein after physically measuring the said plots with the specific boundaries in pursuance to the proceeding of the Special Tahsildar, {Adi Dravidar welfare & Scheduled Tribe Welfare}, Villupuram, the 5th respondent herein made in Na.Ka.A/4752-1 dated 23.05.2014.

For Petitioners : Mr.G.Devadoss
For Respondents : Mr.R.Vijayakumar, AGP

ORDER

Heard Mr.G.Devadoss, learned counsel for the petitioners and Mr.R.Vijayakumar, learned Additional Government Pleader appearing for the respondents and with their consent, the main writ petition itself is disposed of at the admission stage itself.

2.The case of the petitioners is that the Government of Tamilnadu, in order to provide lands to the women belonging to Dhobi and Barber communities residing in Kandamangalam village, Villupuram Taluk, Villupuram, invoked the provisions of Land Acquisition Act and

acquired 0:82:0 ares of vacant land in Re-survey No.85/2. Challenging the said Land Acquisition, the land owner initiated proceedings ; but the decision of the Government was upheld by the Hon'ble Apex Court. It is the further case of the petitioners that after due enquiries, the petitioners were selected as beneficiaries. The 4th respondent in and by his proceedings dated 19.02.2014 approved the Layout prepared by the 5th respondent and the 3rd respondent, vide his proceedings dated 23.05.2014 issued allotment orders to the petitioners. Out of the total 42 plots, 2 plots were retained for future use and the allotment orders in respect of Plot Nos.1 to 13, 15 to 38 and 40 were handed over to the petitioners herein.

3.The grievance of the petitioners is that when they tried to clear the bushes grown in the said Layout, enabling the 2nd respondent to measure the boundaries, the local residents and the persons belonging to other communities prevented the petitioners from clearing the bush. Despite the petitioners requesting the 5th respondent to measure the plots with the boundaries, the 5th respondent did not turn up and in this regard, they had given a written request to the respondents 2 to 5 on 11.09.2014 and again on 13.12.2014. Since no action has been taken on those representations by the respondents, the petitioners are before this Court.

4.In the light of the above facts, without going into the merits of the petitioners' claim, as long as an order of allotment dated 23.05.2014 has not been altered, modified or cancelled, the respondents are bound to implement the same. Accordingly, the 5th respondent is hereby directed to consider the petitioners' representations dated 11.09.2014 and 13.12.2014 and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

5.The writ petition is disposed of with the above direction. No costs. Consequently, connected MP is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

WEB COPY

AP

To

- 1.The Secretary to government
State of Tamil Naadu
Adi Dravidar & Tribal Welfare Dept.,
Fort St George, Chennai 600 009.
 - 2.The District Collector
Villupuram District, Collectors Office
Villupuram.
 - 3.The District Revenue Officer
District Collector's office,
Villupuram 605 602.
 - 4.The District Backward Classes &
Minorities Welfare Officer
Villupuram 605 602.
 - 5.The Special Tahsildar
Land Acquisition
{Adi Dravidar welfare &
Scheduled Tribe Welfare}
Villupuram Taluk Office
Villupuram 605602.
- + 1 cc to Mr.G. Devadoss, Advocate Sr.5316
+ 1 cc to Government Pleader Sr.5544

RSY(CO)
Eu 17.02.15

WP.No.2468/2015

सत्यमेव जयते

WEB COPY