

In the High Court of Judicature at Madras

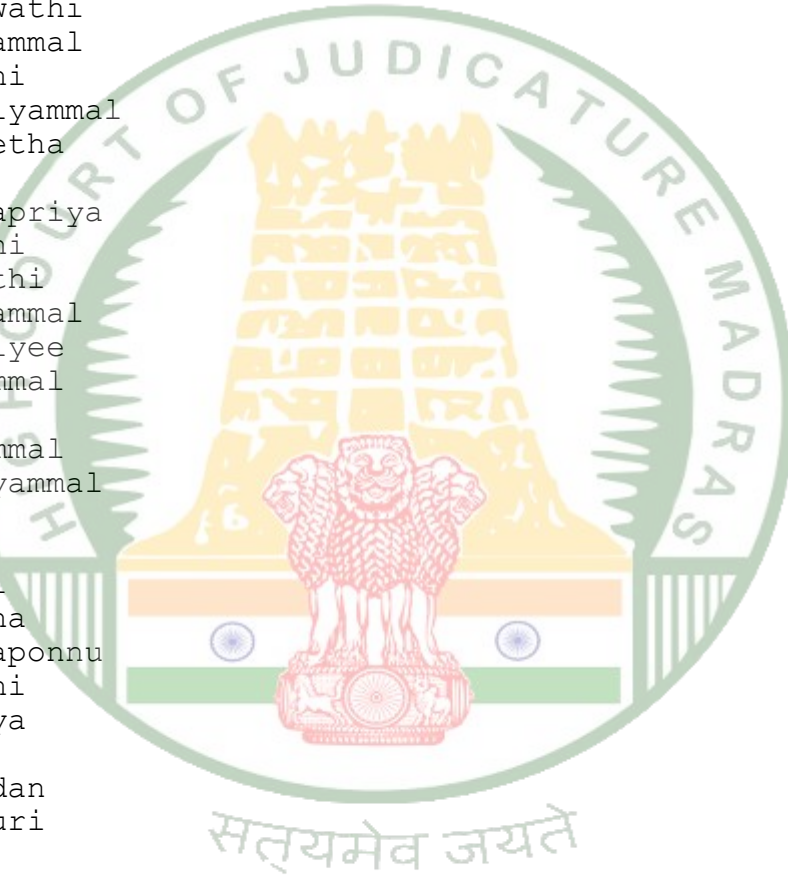
Dated: 16.11.2015

Coram:

The Hon'ble Mr.Justice M.M.Sundresh

Writ Petition No.36310 of 2015
and M.P.No.1 of 2015

1 R.Nithya
2 R.Saraswathi
3 K.Muniyammal
4 S.Revathi
5 M.Palaniyammal
6 P.Sangeetha
7 E.Malar
8 R.Sathyapriya
9 M.Komathi
10 S.Suganthi
11 V.Muniyammal
12 M.Kuppaiyee
13 R.Alagammal
14 Renuga
15 M.Alagammal
16 R.Valliyammal
17 Lakshmi
18 Abina
19 V.Santhi
20 S.Yasodha
21 P.Chinnaponnu
22 A.Komathi
23 K.Saranya
24 R.Ramya
25 Manikandan
26 A.Kasthuri
27 A.Rani
28 S.Sandhiya
29 S.Kamatchi
30 S.Kavitha
31 V.Prema
32 M.Latha
33 S.Maragatham
34 T.Chithra
35 V.Mahalakshmi
36 Vasantha
37 P.Kaliyammal
38 Minichi
39 Ammasi
40 Jagadha
41 Dhanasekaran
42 Pappathi



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43 Jayammal
44 Andiyammal
45 Sumathi
46 Santhi Geetha
47 Govindammal
48 Chandrakala
49 P.Suguna
50 Kamala

... Petitioners

Vs

1 The District Collector
O/o.The District Collector Salem District
Salem.

2 The District Adhi Diravidar
Welfare Officer O/o. District Adhi
Diravidar Welfare Office Salem.

3 The Special Tahsildhar
Adhi Diravidar Welfare Department Omalur
Salem District. ... Respondents

Prayer: Petition is filed under Article 226 of the Constitution of India praying to issue a writ of mandamus, to direct the respondents to issue Patta for the lands comprised in survey No. 283/1B Veerakkal Village Mettur Taluk Salem District in favour of the petitioners by considering their representations dated 01.12.2014

For petitioner : Mr.D.Balachandran

For Respondents : Mr.R.E.S.Senthilvel,AGP

O R D E R

It is seen from the records that a communication was sent by the 2nd respondent to the 3rd respondent in Na.Ka.No.85653/05/D8 dated 14.8.2013 on the representation of one Velu dated 2.8.2013 to take appropriate action towards the consideration of house pattas to 54 persons. Thereafter, the petitioners made a representation on 1.12.2014 to the 3rd respondent seeking issuance of patta. A reply was given by the 3rd respondent on the representation made by the 1st petitioner dated 9.12.2014 in Na.Ka.195/2014/A dated 9.12.2014 stating that action is being taken by referring the same to the 2nd respondent to cancel the pattas given in favour of the 35 persons already in survey No.283/1 and hence further action can be taken on the request made by the petitioners only thereafter. Now seeking a direction to the respondents to issue patta for the above said land situated in Survey No.283/1B, Veerakkal Village Mettur Taluk Salem District, the petitioners have come forward to file this writ petition.

2. Heard the learned counsel appearing for the petitioners and the learned Additional Government Pleader appearing for the respondents.

3. The above said facts would show that the request of the petitioners can only be considered after appropriate orders are passed by the 2nd respondent on the issue of cancellation of pattas said to be given wrongly in favour of 34 persons. Therefore, unless and until a decision is taken thereon, the request of the petitioners cannot be considered for issuance of fresh house site pattas.

4. Therefore, the writ petition stands disposed of by directing the 2nd respondent to pass appropriate orders on the communication sent by the 3rd respondent towards the cancellation of house site pattas said to have been given wrongly in favour of 34 members for Survey No.283/1. Such decision will have to be taken by the 2nd respondent within a period of eight weeks from the date of receipt of copy of this order. Thereafter, appropriate orders will have to be passed based upon the same by the 3rd respondent within a period of six weeks thereafter. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

Usk

To

- 1 The District Collector
O/o.The District Collector Salem District Salem.
- 2 The District Adhi Diravidar
Welfare Officer O/o. District Adhi
Diravidar Welfare Office Salem.
- 3 The Special Tahsildhar
Adhi Diravidar Welfare Department Omalur, Salem District.

+1 cc to The Government Pleader, sr.62028

+ 1 cc to Mr.D.Balachandran, Advocate Sr 61713 (27/1/16)

W.P.No.36310 of 2015

vd co
kra 08.12.2015