

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 13.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.7137 of 2015

1.Venkatesan
2.Thiagarajan
3.Nithiyaraj
4.A.Mumtaj Begum

.. Petitioners

Versus

1.The Secretary to Government
Adi Dravidar and Tribal Welfare
Department, Secretariat,
Chennai 600 009.
2.The District Collector
Thiruvallur District, Thiruvallur.
3.The Revenue Divisional Officer
Thiruvallur District, Thiruvallur.
4.The President/Executive Officer
Pammathukulam, Grade-I
Village Panchayat, Ambattur Taluk
Thiruvallur District.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of MANDAMUS directing the respondents to allot and provide alternative land/sites for house construction and for the livelihood of the petitioners in the Pammathukulam Village or in any other village in Ambattur Taluk, Tiruvallur District.

For Petitioners : Mr.D.Babu
For Respondents : Mr.R.Vijayakumar, AGP

ORDER

Heard Mr.D.Babu, learned counsel for the petitioners and Mr.R.Vijayakumar, learned Additional Government Pleader accepting notice on behalf of the respondents 1 to 3 and with their consent, the writ petition is disposed of at the admission stage itself.

2.Since the writ petition is disposed of at the admission stage, notice to the 4th respondent is dispensed with and the allegations made by the petitioners as against the 4th respondent are not gone into and the same is left open to the official respondents to consider the same.

3.According to the petitioner, they are in possession and enjoyment of a small extent of land which is admittedly a Government land, which the petitioners are said to have purchased from certain third parties by Unregistered Sale Deeds. The petitioners have secured Electricity connection for the house which they have constructed on the said land. The petitioners now fear forceful eviction since there is a proposal for forming a 400 feet road. Therefore, the petitioners seek for a direction upon the District Collector/2nd respondent herein, to consider their representation dated 07.07.2014 and grant alternate site.

4.Admittedly, the petitioners are the encroachers of the Government land and it appears that some of the petitioners are residing from the year 2005 onwards as could be seen from the ration cards. However, the authority has to verify the ration cards. In any event, the petitioner's representation is pending before the authority concerned and there will be a direction to the 2nd respondent to consider the petitioners' representation on merits and in accordance with law within a period of three weeks from the date of receipt of a copy of this order.

5.With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar

/ True copy /

सत्यमेव जयते

Sub Assistant Registrar

AP

To

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1.The Secretary to Government
Adi Dravidar and Tribal Welfare
Department, Secretariat,
Chennai 600 009.

2.The District Collector
Thiruvallur District, Thiruvallur.

3.The Revenue Divisional Officer
Thiruvallur District, Thiruvallur.

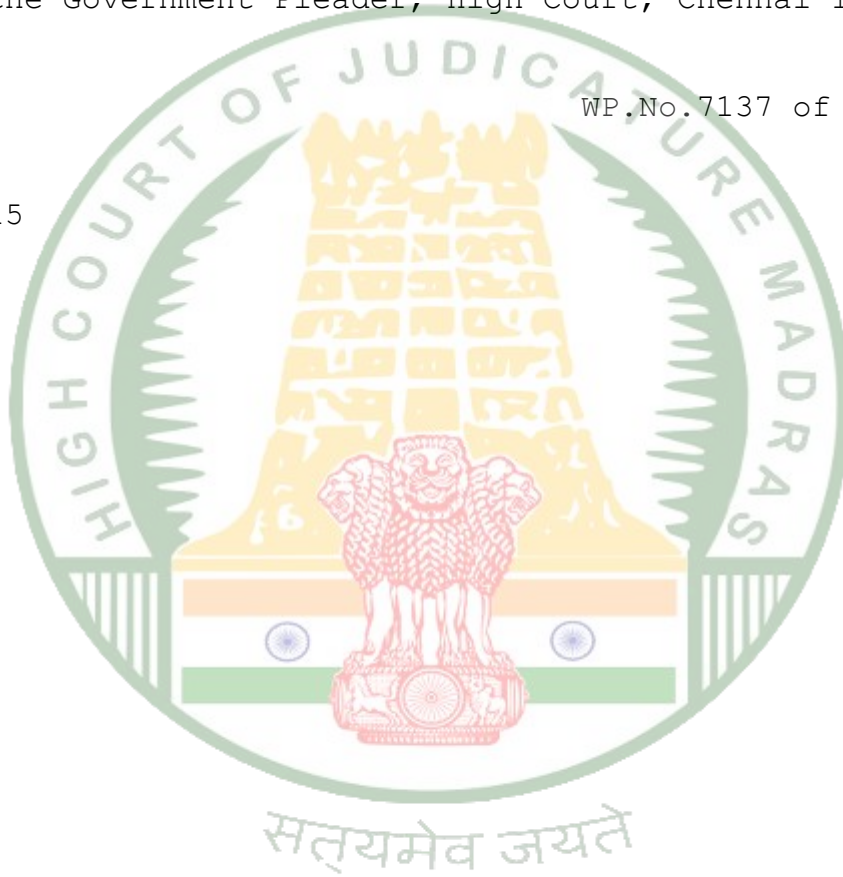
4.The President/Executive Officer
Pammathukulam, Grade-I
Village Panchayat, Ambattur Taluk
Thiruvallur District.

+1 cc to Mr.D.Babu, Advocate SR.14452

+1 cc to the Government Pleader, High Court, Chennai-104.SR.14515

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SK(CO)
JK 25/03/15



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