



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.08.2015

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THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P. (MD) .No.14487 of 2015

Thattanoor Grama Veettu
Urimayalargal Nala Sangam
(Reg.No.114/2015)
Rep.by its Secretary,
R.kasi @ Kasirajan

:Petitioner

vs.

1.The District Collector,
Madurai District, Madurai.

2.The Revenue Divisional Officer,
Madurai, Madurai District.

3.The Tahsildar,
Madurai West Taluk, Madurai District.

4.The President,
Keelakkuilkudi Village Panchayat,
Madurai West Taluk, Madurai- 19.

: Respondents

Prayer: Petition is filed under Article 226 of the Constitution of India for the issue of a Writ of Mandamus, to direct the respondents to take appropriate steps to ensure the ownership of the members of the petitioner's association by record their details in 'A' Register, Chitta, Adangal and other revenue records by considering the representation given by the petitioner's association, dated 09.07.2015, within the period stipulated by this Court.

For Petitioner

:Mr.N.Sathishbabu

For Respondents

:Mr.M.Murugan Govt.Advocate

O R D E R

The Writ Petition has been filed, praying for issuance of a Writ of Mandamus, to direct the respondents to take appropriate



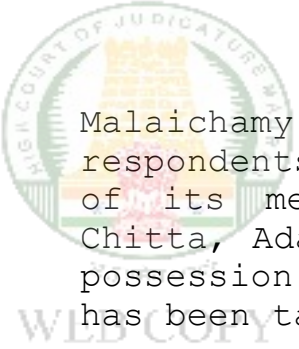
steps to ensure the ownership of the members of the petitioner's association by recording their details in 'A' Register, Chitta, Adangal and other revenue records, by considering the representation given by the petitioner's association, dated 09.07.2015, within the period stipulated by this Court.

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2. The case of the petitioner is that he is serving as Secretary of the petitioner's Association, which is registered under the Tamil Nadu Societies Registration Act and the Registration Number is 114/2015. Earlier, the people living in Keelakuikudi Village Panchayat applied for issuance of free house site patta with the 3rd respondent, since all the members are living below the poverty line. Considering the request of the said people, the Government allotted lands to the members of the petitioner's Association, to an extent of 1.5 cents at Survey No.70 in Thattanoor Village, Keelakuilkudi Village Panchayat, Madurai District and issued free house site patta in their favour. The above said lands were classified as Natham Porombokku. From the date of allotment and issuance of free house site patta, every member of the petitioner's association are in absolute possession and enjoyment of the same, by constructing houses according to their financial position like Thatched house, Tiled house and RCC Roof houses.

3. Thereafter, all the allottees have obtained electricity connection and paying property tax to the Village Panchayat without any default. Some of the main allottees of the free house site patta, after a considerable period, reconveyed the same to 3rd parties, due to their poverty condition and the present owners are also paying property tax to the concerned local authority and obtained electricity connection in their favour. Such being the situation, some of the miscreants approached this Court, by alleging that, the Government lands had been encroached in the name of free house site patta with the help of the revenue officials and therefore, sought for criminal action against the erring officials and illegal beneficiaries. In view of the above, the respondents 1 to 3, without giving any notice, approached the members of the petitioner's association on 15.07.2015, along with police force and threatened the people to vacate the houses in the name of eviction of encroachment.

4. Therefore, four members of the petitioner's association filed writ petitions in W.P.(MD) No. 12340 - 12343 of 2015 and this Court, by an order dated. 16.07.2015 granted an interim order in favour of them. Likewise, nearly 162 people, who are members of the petitioner's association joined together and filed a writ petition W.P.(MD)No. 13201 of 2015 for the same relief. Apart from that, some other writ petitions also filed by the people, who are <https://hccservices.mca.gov.in/services/> Villages namely, Vilacheri and Mottamalai Village and the same were also pending before this Court for further hearing. The president of the petitioner's association viz.,



Malaichamy sent a representation, dated 09.07.2015, to the respondents, requesting to regularize the possession and enjoyment of its members, by recording their details in 'A' Register, Chitta, Adangal and other revenue records and thereby ensure their possession and enjoyment without any deviation. Since, no action has been taken, the present writ petition has been filed.

5. Heard both sides.

6. Considering the facts and circumstances of the case and without going into the merits of the claim made by the petitioner association, this Court, directs the respondents to consider the petitioner's representation, dated 09.07.2015, and pass orders on the same, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

7. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

MPK

To

- 1.The District Collector,
Madurai District, Madurai.
 - 2.The Revenue Divisional Officer,
Madurai, Madurai District.
 - 3.The Tahsildar,
Madurai West Taluk, Madurai District.
 - 4.The President,
Keelakkuilkudi Village Panchayat,
Madurai West Taluk, Madurai- 19.
- +1cc to MR.N.SATHIS BABU, Advocate Sr.No 46137
+1CC TO M/S.SPL.GOV.T.PLEADER, SR NO:46713

W.P. (MD) .No.14487 of 2015
13.08.2015

JAM/AN-MP/SAR-J/31.8.15/3P-7C