



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.08.2015

C O R A M

WEB COPY

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P(MD) No.16962 of 2013

and

M.P(MD)No.2 of 2013

- 1.Thenmozhi
- 2.Kavitha
- 3.Jeya
- 4.Rajathi

... Petitioners

Vs.

- 1.The District Collector,
Sivagangai District,
Sivagangai.

- 2.The District Revenue Officer,
Sivagangai District,
Sivagangai.

- 3.The Special Thasildar,
(Adi Dravidar Welfare),
Devakottai,
Sivagangai District.

- 4.The Tahsildar,
Tirupathur Taluk Office,
Tirupathur Taluk,
Sivagangai District.

... Respondents

Prayer:-Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the respondents to strictly act upon the assignment order and plan approval without making any alteration issued by the 3rd respondent by his proceedings in Na.Ka.No.C/685/2002, dated 13.06.2006 in accordance with law with regard to the petitioners respective assigned plots Nos.1,36,62 and 30 in S.No.3/5 part, Kattambur Village, Tiruppathur Taluk, Sivagangai District.

For petitioner
For Respondents

...Mr.J.John
...Mr.M.Murugan
Govt. Advocate

ORDER

The petitioner has filed this writ petition for a writ of mandamus, directing the respondents to strictly act upon the assignment order and plan approval without making any alteration issued by the 3rd respondent by his proceedings in Na.Ka.No.C/685/2002, dated 13.06.2006 in accordance with law with regard to the petitioners respective assigned



plots Nos.1,36,62 and 30 in S.No.3/5 part, Kattambur Village, Tiruppathur Taluk, Sivagangai District.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

3. According to the petitioners, after acquiring the land under the Land Acquisition Act 31 of 1978 for the purpose of issue of free house site to houseless Adi Dravidars, 120 beneficiaries including the petitioners were identified. The petitioners were allotted plot Nos.36, 62, 30 and 1. In spite of allotting the plots, the respondents did not demarcate and handed over the possession to the petitioners. The respondents are trying to allot the land reserved for common purpose also to third parties. Hence, the petitioners have filed the present writ petition for the for the above stated relief.

4.The first respondent filed counter affidavit denying the averments made by the petitioner. In the counter, it is stated that the lands allotted to the petitioners were demarcated and boundary stones were fixed on the following dated 09.01.2007, 11.01.2007 and 14.01.2007. The first respondent further stated that the common area will be maintained as such and patta will not be issued to anybody, in respect of the said land.

5.In view of the statement of the first respondent in the counter statement, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

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To

- 1.The District Collector, Sivagangai District,Sivagangai.
- 2.The District Revenue Officer,Sivagangai District, Sivagangai.
- 3.The Special Thasildar,(Adi Dravidar Welfare),
Devakottai, Sivagangai District.
- 4.The Tahsildar, Tirupathur Taluk Office, Tirupathur Taluk,
Sivagangai District.

+one cc to M/s.J.John, Advocate in SR.No.49219

+one cc to The Special Government Pleader in SR.No.49184

W.P(MD)No.16962 of 2013

csl/sks/16.09.2015

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