



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.09.2015

C O R A M

WEB COPY

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P(MD) No.20166 of 2013

M.Anandavalli

... Petitioner

Vs.

1.The District Collector,
Tuticorin District,
Tuticorin.

2.The Revenue Divisional Officer,
Kovilpatti,
Tuticorin District.

3.The Tahsildar,
Ottapidaram,
Tuticorin District.

4.The Taluk Surveyor,
Ottapidaram,
Tuticorin 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 survey 7 plots in Natham Poramboke by metes and bounds in Survey No.233/19 granted to 7 beneficiaries (including the petitioner) at free of cost who are the homeless Scheduled caste-Parayar Community people, based on petitioner's representation, dated 14.11.2013 within the time limit.

For Petitioner

...Mr.S.Baskar Mathuram

For Respondents

...Mr.V.Muruganandam

Addl. Govt. Pleader

O R D E R

The writ petition has been filed for a writ of mandamus, directing the Respondents to survey 7 plots in Natham Poramboke in Survey No.233/19 granted to 7 beneficiaries (including the petitioner) at free of cost, who are the homeless Scheduled caste-Parayar Community people, based on the petitioner's representation, dated 14.11.2013.

2.According to the petitioner, the petitioner along with 6 others were granted free house-site patta in Survey No.233/19, in Valasamuthuram Village, Ottapidaram, Tuticorin District. The house-sites were not demarcated and handed over to the petitioner. Further, the caste Hindu community people prevented the petitioner and others from putting up

superstructure. In the circumstances, the petitioner gave a representation on 14.11.2013 to the respondents. The respondents did not take any steps. Hence, the petitioner has come out with the present writ petition for the above stated relief.

3.Today, when the matter is taken up for hearing, Mr.V.Muruganandham, learned Additional Government Pleader produced a letter, dated 16.12.2013, in Na.Ka.A2/6235/2013, addressed to the Government Pleader by the third respondent, stating that challenging the issue of patta Thiru.Veeraraghavaperumal and 21 others have filed a writ petition in W.P.(MD)No.15735/2013 and obtained an interim orders not to issue patta in Survey No.60/1 and they are taking steps to allot alternate land.

4.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

5.Admittedly, the petitioner and others were issued patta in Survey No.233/19. The respondents did not demarcate the property and handed over the possession to the petitioner and others. She gave a representation to the respondents on 14.11.2013, but the respondents did not pass any orders. From the letter, dated 16.12.2013 addressed to the Government Pleader by third respondent it is seen that writ petition mentioned therein relates to Survey No.60/1. It has nothing to do with S.No.233/19 in which the petitioner was given house site patta.

6. In view of the same, the first respondent is directed to consider the petitioner's representation, dated 14.11.2013 and pass appropriate 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.

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

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

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To

1.The District Collector, Tuticorin District, Tuticorin.

2.The Revenue Divisional Officer, Kovilpatti,
Tuticorin District.

3.The Tahsildar, Ottapidaram, Tuticorin District.

4.The Taluk Surveyor, Ottapidaram, Tuticorin District.

+1CC to Mr.S.Baskar Mathuram Advocate Sr.No.55297

+1CC to Spl.Government Pleader Sr.No.55451

GJM/SKS/RR/12.10.15-2P-7C

<https://hcservices.ecourts.gov.in/hcservices/>

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