

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.03.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No. 11896 of 2016

1. Mariammal
2. Bhavani
3. Kamalaveni
4. Nagaveni
5. Yasotha
6. Kumadavalli
7. Rajambal
8. Thilagavathy
9. Lalitha
10. Karuna
11. Chinnaponnu
12. Maadhu
13. Chithra

14. Anjalai
W/o. Rajendran

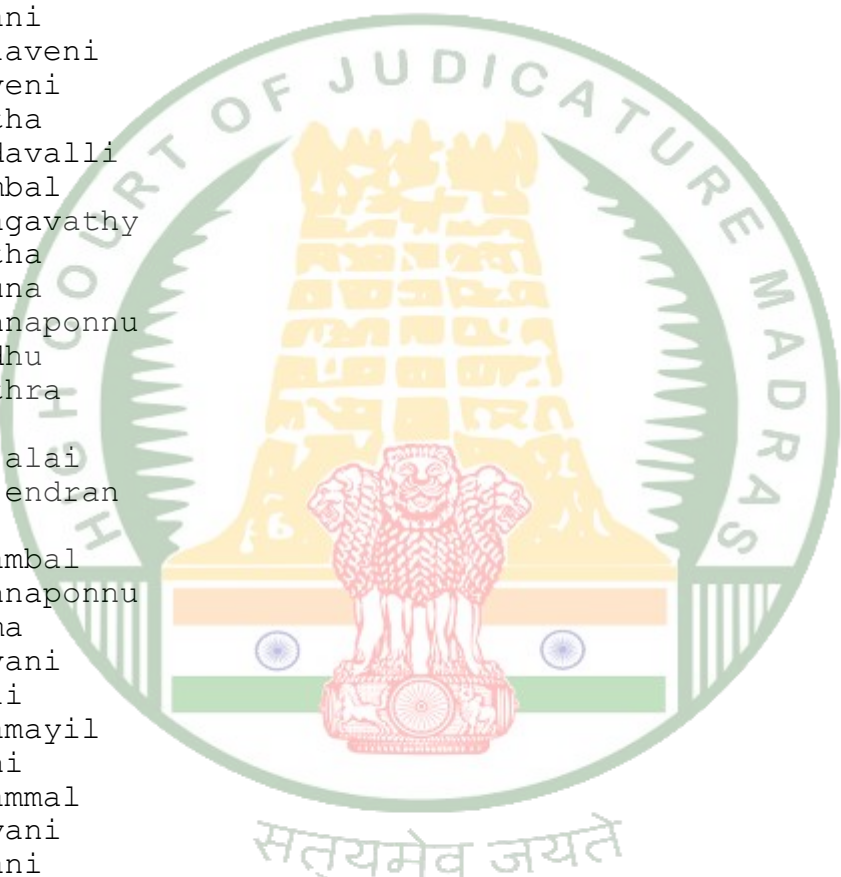
15. Rajambal
16. Chinnaponnu
17. Padma
18. Bhavani
19. Valli
20. Vanamayil
21. Vaani
22. Rajammal
23. Kalyani
24. Janani
25. Sangumari

26. Anjaalai
W/o. Nagalaingam

27. Pushpa

28. Anjaalai
W/o. Balakrishnan

29. Manimekalai
30. Jagada
31. Soundari



WEB COPY

32. Palayam
33. Baby
34. Thilagam
35. Mallika
36. Arputham
37. Lakshmi
38. Sarasu
39. Chinnaponnu

40. Meenakshi
W/o. Gajendran

41. Muniyammal
42. Saroja

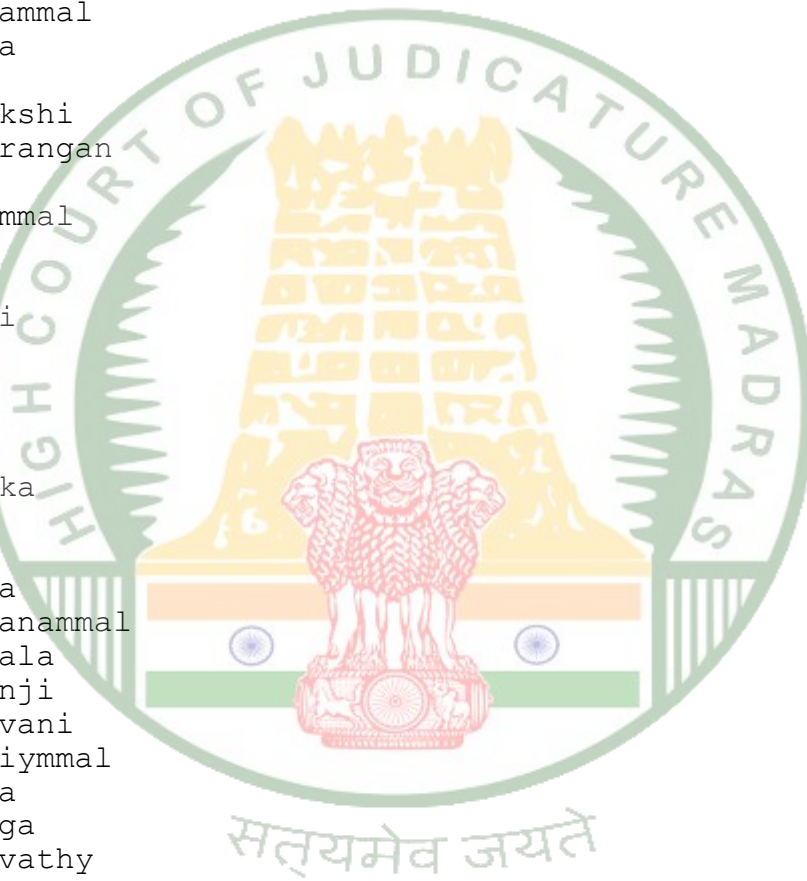
43. Meenakshi
W/o. Chitrangan

44. Pachammal

45. Rani
W/o. Durai

46. Rani
W/o. Raji

47. Mallika
48. Bhanu
49. Kala
50. Santha
51. Santhanammal
52. Shyamala
53. Aparanji
54. Kalaivani
55. Pachaiymmal
56. Renuka
57. Nasinga
58. Mainavathy
59. Rukku
60. Pichammal
61. Rani
62. Krishnaveni



WEB COPY

Vs.

... Petitioners

1. The District Collector,
District Collectorate,
Kancheepuram.

2. The Sub Collector,
Office of the Sub-Collector,
Chengalput.

3. The Tahsildar,
Thiruporur Taluk,
Thiruporur.

... Respondents

Writ petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to consider the representations of the petitioners, dated 12.01.2014, 07.03.2014, 01.02.2016 and 04.03.2016 and pass appropriate orders on the said representations.

For Petitioner : Mr.K.V.Babu

For respondents : Mr.P.Sanjay Gandhi,
Additional Government Pleader

O R D E R

With the consent of both sides, the Writ Petition is taken up for final disposal.

2. The petitioner has come forward with the present Writ of Mandamus directing the respondents to consider the representations of the petitioners, dated 12.01.2014, 07.03.2014, 01.02.2016 and 04.03.2016 and pass appropriate orders on the said representations.

3. The lands situate at Salavankuppam Village, Thiruporur Taluk, Chengalput District, measuring to an extent of 8 Acres 50 cents or thereabouts, comprised in Fishermen Natham Survey No.2/1B, was earmarked as house sites, consisting of 143 plots and the same were originally owned by one Nemmeli Alavandar Charitable Trust. The said lands were acquired by the Government through Fisheries Department, under proceedings dated 02.08.1968 in Award No.5/1968. Thereafter, Plot Nos.1 to 49 and Plot Nos.50 to 81 were allotted to the Pudu Edaiyur Village Fisheries Community and Devaneri Village Fishermen Community respectively. Originally, the Plot nos.82 to 143 were allotted to the Kokilamedu Village Fishermen Community. Since they did not want allotment of the lands in that area, the plot nos.82 to 143 were ultimately allotted to the petitioners on 12.12.1991. Thereafter, the third respondent issued Assignment Pattas to the petitioners 2 to 62 in respect of the said plots. However, actual physical possession was not handed over to the petitioners and the said lands were not surveyed. Though several

representations have been made on 12.01.2014, 07.02.2014 and 01.02.2016 to the third respondent, no steps have been taken for surveying the lands so far. Hence, the present writ petition.

4. Heard the submissions of learned counsel appearing for the petitioners and the learned Additional Government Pleader appearing for the respondents.

5. Considering the facts and circumstances, without going into the merits of the claim of the petitioners, this Court directs the third respondent to consider the representation of the petitioners dated 04.03.2016 and pass an appropriate order, within a period of twelve weeks from the date of receipt of a copy of this order, after affording opportunity of personal hearing to the petitioners as well as to the necessary parties, if any. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim of the petitioner. It is for the third respondent to decide the issue purely on merits.

6. The writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

mrp

To

1. The District Collector,
District Collectorate,
Kancheepuram.
2. The Sub Collector,
Office of the Sub-Collector,
Chengalput.
3. The Tahsildar,
Thiruporur Taluk,
Thiruporur.

1 cc to Mr.K.V. Babu, Advocate, sr. 20609
1 cc to Government Pleader, Sr. 20551

W.P.No.11896 of 2016

KR/22/4/16