

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2016

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN

W.P.No.8629 of 2014
and
M.P.Nos.1 and 2 of 2014

1.M.Porapathai
2.M.Poodiyan
3.P.Natesan
4.C.Ellumalai
5.M.Sivakumar

...Petitioners

Vs.

1.The District Collector,
Villupuram District.
2.The Special District Collector,
(Ulundurpet, Adi-Dravidian),
Villupuram District.
3.The Revenue Divisional Officer,
Thirukoilur, Ulundurpet Taluk,
Villupuram District.
4.The Deputy Tahsildar,
Thirukoilur, Ulundurpet Taluk,
Villupuram District.
5.The Revenue Inspector,
Kalamarudur,
Ulundurpet Taluk,
Villupuram District.
6.The Village Administrative Officer,
Malai-Adi-Kunnathour village,
Kunnathour post,
Ulundurpet Taluk,
Villupuram District.

... Respondents

The writ petition is filed under Article 226 of the Constitution of India praying for the issue of a writ of mandamus, forbearing the respondents from the issue of free pattas for house sites for ineligible beneficiaries in respect of the property situated in Punjai land in S.No.379/1A and S.No.380/1A in Malai-Adi-Kunnathur village, Kunnathour post, Ulundurpet Taluk, Villupuram District, except in accordance with law.

For Petitioner : No appearance
For Respondents : Mr.R.Ravichandran, AGP

ORDER

There is no representation on behalf of the petitioner. Heard the learned counsel appearing on behalf of the respondents.

2 This writ petition has been filed by the petitioner, praying that this Court may be pleased to issue a Writ of Mandamus, forbearing the respondents from issuing free pattas, for the house sites, for ineligible beneficiaries, in respect of the properties situated in S.Nos.379/1A and 380/1A, in Malai Adi Kunnathur village, Ulundurpet Taluk, Villupuram District, except in accordance with law.

3 The petitioner has stated that he is a resident of Malai Adi Kunnathur village and is an agriculturist, who is interested in the welfare of the villagers of the area concerned. It has been stated that a number of ineligible persons had been allotted pattas, in S.Nos.379/1A and 380/1A, without following the procedures established by law. Hence, the petitioner has preferred the present writ petition before this Court.

4 A counter affidavit has been filed by the respondents, denying the allegations made by the petitioner, in the present writ petition. It has been submitted that the land in question had been acquired, as per the provisions of the Central Act 1 of 1894, to an extent of 2.57.0 hectares, in M.Kunnathur village, Ulundurpet Taluk, Villupuram District. The house sites had been assigned to 110 beneficiaries, belonging to the members of the M.B.C. community, as per the Award No.2/1997-98, dated 8.8.1997, passed by the Special Tahsildar (Adi Dravidar Welfare), Ulundurpet. All the house site pattas, numbering about 110, had already been distributed amongst the beneficiaries. While so, the petitioner, who has nothing to do with the allotment of the house site pattas, has filed the present writ petition, as though it is a Public Interest Litigation.

5 It has been further stated that the Special Tahsildar (Adi Dravidar Welfare), Ullundurpet, had allotted the house sites in question, after proper verification of the ration cards, voter ID cards, community certificates and other relevant documents, while identifying the beneficiaries. Hence, the present writ petition filed by the petitioner is devoid of merits and therefore, it is liable to be dismissed.

6 In view of the averments made in the affidavit filed in support of the writ petition and in view of the counter affidavit filed on behalf of the respondents and on perusal of the records available before this Court, it is noted that the allotment of house site pattas, in S.Nos.379/1A and 380/1A, in Malai Adi Kunnathur village, Ulundurpet Taluk, Villupuram District, had been done by the Special Tahsildar (Adi Dravidar Welfare), Ulundurpet, by following the necessary procedures. The Special Tahsildar (Adi Dravidar Welfare), Ulundurpet had identified the beneficiaries belonging to the M.B.C community, by verification of the relevant records, including the ration cards, voter ID cards, community certificates. As such, the claims, made by the petitioner in the affidavit filed in support of the writ petition, cannot be accepted, as the writ petition is devoid of merits. Hence, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

vvk

To

- 1.The District Collector,
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- 2.The Special District Collector,
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W.P.No.8629 of 2014

GJII(CO)

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