

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.04.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE M.M.SUNDRESH

W.P. No.15296 of 2016

S.Saravanan

.. Petitioner

-vs-

1.The District Collector,
District Collector's Office,
Salem District.

2.The Revenue Officer,
Salem District, Salem.

3.The Tahsildar,
Attur Taluk Office,
Attur Town & Taluk,
Salem District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondents to consider the petitioner representation dated 25.02.2016 and investigate the same in accordance with law.

For Petitioner : Mr.R.Sankarasubbu

For Respondents : Mr.S.T.S.Murthi,
Govt. Pleader, assisted by
Mr.V.Shanmugasundar, G.A.

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O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

On hearing the learned counsel for parties, it transpires that the conditions on which the land is given to the members of the Adi Dravidar and Scheduled Caste community is for their benefit without the right to transfer for a period of thirty (30) years. The land is stated to have been allotted to 49 such persons as housing sites, the land bearing Survey No.482/2, Pula No.486/3A measuring 1.79 acres in total and the physical possession is stated to have been handed over on 28.05.1986. The allegation is that out of 49 sites, as high a number of 48 sites are actually occupied by non-eligible persons and despite the complaint preferred by the petitioner before the respondent authorities on 14.08.2014, there has been no fruitful conclusion to this issue. The third respondent / Tahsildar is stated to have directed the Special Tahsildar to conduct an enquiry vide orders passed on 24.09.2014 and 25.09.2014.

2.Since nothing happened, the petitioner made a representation on 25.02.2016 for disciplinary action to be taken, but despite this also, there is stated to have been no action.

3.We direct the third respondent to ensure that all proper verification is carried out and the eligibility of the persons occupied the site is determined, within a maximum period of four (4) months of the receipt of this order. In case, ineligible persons are found holding the sites, necessary action in accordance with law for re-possession of sites be taken within two (2) months thereafter. Needless to say, the actions to be taken will be after notice to all concerned persons.

4.Writ petition, accordingly, stands closed. No costs.

सत्यमेव जयते

-s/d-

Assistant Registrar

True Copy

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Sub-Assistant Registrar

sra

To

1.The District Collector,
District Collector's Office,
Salem District.

2.The Revenue Officer,
Salem District, Salem.

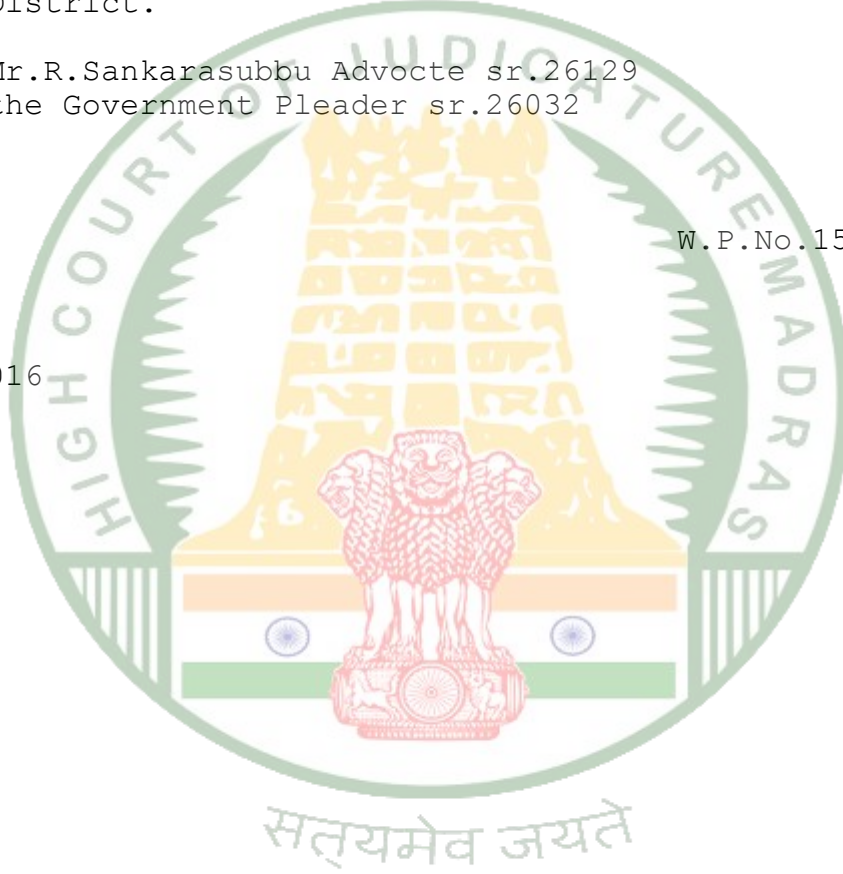
3.The Tahsildar,
Attur Taluk Office,
Attur Town & Taluk,
Salem District.

+1 cc to Mr.R.Sankarasubbu Advocte sr.26129

+1 cc to the Government Pleader sr.26032

W.P.No.15296 of 2016

gj(co)
aa10/05/2016



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