

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 14.11.2016

CORAM

THE HON'BLE MR.JUSTICE M.S.RAMESH

W.P.No.5895 of 2013

S.Dalit Sakthivel

...Petitioner

Vs

1. The District Collector,
Cuddalore District,
Cuddalore.
 2. The Government of Tamil nadu rep.by its
Secretary, Revenue Department,
Fort St.George, Chennai 600 009.
 3. The District Adi Dravida and Tribal Welfare,
Officer, Cuddalore District, Cuddalore.
 4. The Special Tahsildar,
Cuddalore District,.
(R4 suo motu impleaded as per order dated
17.10.2016 in W.P.No.5895 of 2013)
- ...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the first respondent to initiate appropriate action against the concerned officials of the Cuddalore Taluk office and to cancel the house site patta issued on 10.01.2012 numbering about 75 to ineligible persons from and out of the land comprised in R.S.Nos.654/2,3, 5 to 12 of an extent of 4.15 acres situated at Kadampuliyur Village and to conduct appropriate enquiry and to issue free house site patta to the eligible persons of SC and ST community people of Kadamkpuliyur Village, Panrutti Taluk and Cuddalore District.

For Petitioner : Mr.S.Sadasharam
For Respondents : Mr.R.Govindasamy
Spl.Govt.Pleader.

O R D E R

The petitioner, who is a Union Council Member, has filed the present writ petition seeking for a direction to the first respondent to initiate proceedings against the officials and to cancel the house site patta granted on 10.01.2012 to 75 ineligible persons in the lands comprised in R.S.Nos. 654/2,3, 5 to 12 dated 15.02.2012 at Kadamkpuliyur Village and subsequently, issue free house site eligible for the Schedule Caste and Schedule Tribe people of the said village.

2. According to the petitioner, the Government had acquired lands in the aforesaid survey numbers for the purpose of forming lay out and to allot house site patta free of cost to eligible villagers belonging to Adi Dravidar Community. The Special Tahsildar, Cuddalore Taluk, in collusion with the others, had granted patta to the individuals, who were not eligible to get assignment patta. Hence, the petitioner has made a representation on 11.08.2012, pursuant to which, the second respondent had directed the first respondent to initiate appropriate action. Since, no action has been taken by the respondents, the petitioner has filed the present writ petition.

3. Heard Mr. S.Sadasharam, learned counsel appearing for the petitioner and Mr.R.Govindasamy, learned Special Government Pleader appearing for the respondents.

4. Mr.Madhialagan, District Adi Dravidar Welfare Officer, Cuddalore, is present before this Court with the original files. When the matter is taken up for hearing today, the learned Special Government Pleader would submit that pursuant to the petitioner's representation, the first respondent had forwarded the same to the Sub Collector-cum-Special Collector (Stamps) Cuddalore directing him to conduct an enquiry. Subsequently, the Special Deputy Collector (Stamps), Cuddalore forwarded the same to the Tahsildar and the Special Tahsildar (LA-III)Neyveli to conduct an enquiry. Accordingly, the Committee had conducted an enquiry and submitted a report to the Sub Collector, Cuddalore stating that action has been taken against the pattas issued to 21 ineligible persons by his proceedings dated

Na.Ka.W2/44468/2006 dated 28.10.2016 and would submit that the respondent had already acted upon the complaint of the petitioner.

5. In view of the action already taken as submitted by the learned Special Government Pleader, no further order is required in the present writ petition. Hence, this writ petition is closed. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

kkd

To

1. The District Collector,
Cuddalore District,
Cuddalore.
2. The Secretary,
The Government of Tamil nadu
Revenue Department,
Fort St.George, Chennai 600 009.
3. The District Adi Dravida and Tribal Welfare,
Officer, Cuddalore District, Cuddalore.
4. The Special Tahsildar,
Cuddalore District, सत्यमेव जयते

+1cc to Mr.S.Sadasharam, Advocate, S.R.No. 65668

+1cc to the Government Pleader, S.R.No. 65845

KSJ (CO)

PSI (29/12/2016)

W.P.No.5895 of 2013