

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 21.06.2016

Coram:

The Honourable Mr.SANJAY KISHAN KAUL, CHIEF JUSTICE
and

The Honourable Mr.Justice R.MAHADEVAN

W.P.No.23339 of 2013

1.L.Geetha
2.M.Selvi

... Petitioners

Versus

1.The Secretary to the Government
Adi Dravidar and Tribal Welfare Department,
Secretariat, Fort St.George, Chennai 600 009.

2.The District Collector,
Salem District.

3.Tr.Rajarajan
Special Tahsildar (Retd.)
Adi Dravida and Tribal Welfare Department,
Gangavelli Taluk, Salem District.

4.The Special Tahsildar,
Adi Dravida and Tribal Welfare Department,
Gangavelli Taluk, Salem.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issue of a writ of Mandamus, directing the respondents 1 and 2 to take appropriate action against the grant of illegal house site patta to ineligible persons comprised in S.No.30/1, 2, 4 of Gangavelli Village, Athur Taluk, Salem District over an extent of 4.38.0 hec and cancel the same and direct the respondents to grant patta to eligible persons of the said village.

For Petitioner ::: Mr.M.Muthappan

For Respondents::: Mr.S.T.S.Murthi

Special Government Pleader
assisted by

Mr.V.Shanmugasundaram

Government Advocate for R.1, R.2 and R.4

O R D E R

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

The petitioners, Ward members of the area, claims that ineligible persons have been granted pattas in S.No.30/1,2 and 4 of Gangavelli Village, Athur Taluk, Salem District over an extent of 4.38.0 Hectares, and thus, seeks their cancellation and reallocation to the eligible persons of the Scheduled Caste and Scheduled Tribe community.

2. No counter affidavit has been filed, despite lapse of three years.

3. We thus direct the second respondent to examine the matter, especially in the context of the proceedings of the Revenue Inspector itself dated 13.12.2012, throwing shadow on the allotments and determine whether any ineligible persons have been allotted the pattas. If it is so, action in accordance with law is required to be taken to cancel the pattas and allot them to eligible persons. This exercise after notice to all concerned be completed within a maximum period of four months from the date of receipt of this order.

4. The writ petition accordingly stands disposed of, leaving the parties to bear their own costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

To

1.The Secretary to the Government,
Adi Dravidar and Tribal Welfare Department,
Secretariat, Fort St.George,
Chennai 600 009.

2.The District Collector,
Salem District.

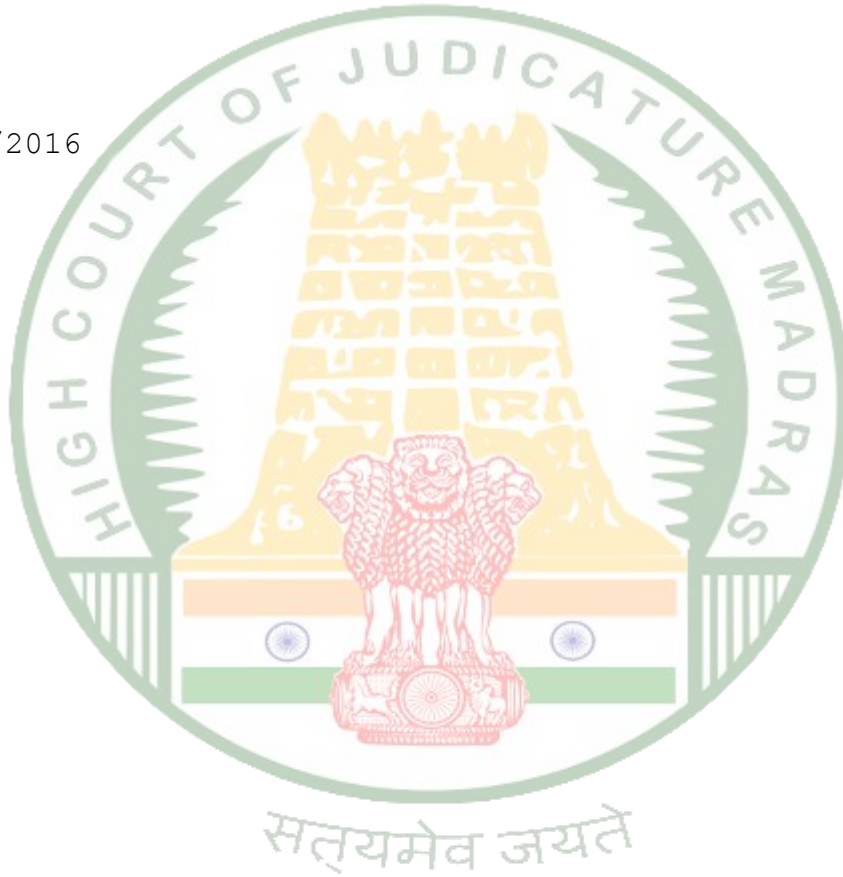
3.Tr.Rajarajan, Special Tahsildar (Retd.)
Adi Dravida and Tribal Welfare Department,
Gangavelli Taluk, Salem District.

4.The Special Tahsildar, Adi Dravida and Tribal Welfare
Department,
Gangavelli Taluk, Salem.

+1CC Mr.M.Muthappan, Advocate Sr.34410

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