

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18.07.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.24778 of 2016

Rathinasamy

... Petitioner

Vs.

1.The Collector,
Salem District, Salem.

2.The Revenue Divisional Officer,
Attur, Salem District.

3.The Special Tashildar,
Adi-Dravidar Welfare, Attur,
Salem District.

4.A.Manokaran

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus directing the second respondent to complete the enquiry and publish it within a period as fixed by this Court.

For Petitioner : Mr.R.Asaithambi

For Respondents: Mr.R.Govindasamy,
Special Government Pleader
[R1 to R3].

सत्यमेव जयते
O R D E R

By consent, the writ petition itself is taken up for final disposal.

2. The petitioner claims to be the absolute owner of the land in S.No.180/11 in Kaverpannai Village, Attur Taluk, Salem District and also paid statutory levies in respect of the property in question. The petitioner in the year 2013, had sold a portion of the said land in favour of 13 persons by way of house sites and pattas were also transferred in the name of the six purchasers and the remaining purchasers had applied for transfer of patta and they are yet to be issued with patta. However, one Manokaran, the resident of the said Village gave a

complaint to the respondents stating that the land in question was acquired by the Government for the purpose of house sites for Adi-Dravidar people and therefore, the petitioner cannot claim any right over the same. The Office of the Special Tahsildar, Adi-Dravidar Welfare, Attur vide communication dated 27.09.2013 to the Tahsildar, Kengavalli calling upon him to send a report along with the document and the office of the District Collector, Salem has also sent a communication to the Tahsildar, Kengavalli for taking appropriate action based on the representation submitted by the said Manokaran. Accordingly, the Tahsildar, Kengavalli has submitted a detailed report to the second respondent and despite the said report being forwarded to the Revenue Divisional Officer, no orders have been passed by the second respondent and in this regard, has also submitted a representation dated 10.08.2015 to the first respondent and since no orders have been passed came forward to file this writ petition.

3. Heard the submissions of Mr.R.Asaithambi, learned counsel appearing for the petitioner and Mr.R.Govindasamy, learned Special Government Pleader, who accepts notice on behalf of the respondents 1 to 3.

4. Though the petitioner prayed for the larger relief, this Court, in the light of the facts and circumstances, directs the second respondent to take note of the communication of the Tahsildar dated 25.10.2013 in Na.Ka.No.6156-2013-Aa3 and pass orders in accordance with law after putting on notice the 4th respondent, within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as to the 4th respondent.

5. This Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

vsm

To

1.The Collector,
Salem District, Salem.

2.The Revenue Divisional Officer,
Attur, Salem District.

3.The Special Tashildar,
Adi-Dravidar Welfare, Attur,
Salem District.

+1cc to the Government Pleader Sr.40414

Writ Petition No.24778 of 2016

GJ II[co]
srg 01/08/2016



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