

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.07.2016

CORAM :

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

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. No.35107 of 2013

K.M.Thiagarajan

.. Petitioner

-vs-

- 1.The District Collector,  
Collectorate,  
Thiruvarur District,  
Thiruvarur.
- 2.The Revenue Divisional Officer,  
Office of the Revenue Divisional Office,  
Mannarkudi & Post,  
Thiruvarur District, Thiruvarur.
- 3.The Tahsildar,  
Taluk Office,  
Thiruthuraipoondi & Post,  
Thiruvarur District.
- 4.The Secretary,  
Adi Dravida Welfare Department,  
Secretariat,  
Tamil Nadu State Government,  
Chennai - 9.

5.V.N.S.Abdul Jaffar

6.M.Kalimuthu

7.R.Sarojini Bai

8.S.Rajan

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents 1 to 4 to initiate legal actions on the representation of the petitioner dt. 29.06.2012 and followed Lawyer's notice dt.29.1.2013 for the same causes within a stipulated period of time and to evict the illegal occupation of the respondent Nos.5 to 7 and to allot the house sites belong to

the Government as mentioned in the petitioner's representation to the poor houseless persons especially to the Adi-Dravida peoples under the Kudiyiruppu Act, 1971 (Conferment of Ownership Act 40 of 1971).

For Petitioner : No appearance  
For Respondents : Mr.T.N.Rajagopalan  
Spl. G.P. for R1 to R4  
Mr.P.Anbarasan for R5  
Mr.S.Arivazhagan for R6 & R7

O R D E R

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

The allegation is that while pattas were issued earlier to the landless poor under Kudiyiruppu Act, 1971 (Conferment of Ownership Act 40 of 1971), the allottees passed away and there were no legal heirs to claim the land. It is stated that respondent No.5, an ineligible, thereafter obtained patta for the said land and sold it to respondent Nos.6 and 7, who in turn, sold it to respondent No.8. The prayer thus is for cancellation of all these sale deeds and for allotment of the land to eligible persons.

2. These are all matters involving really a title dispute and the eligibility as to whether the legal heirs of the deceased patta holders dealt with the land in favour of respondent No.5 is also not known.

3. We are thus of the view that there is no need to exercise the jurisdiction under Article 226 of the Constitution of India, that too in a public interest litigation.

4. The writ petition is dismissed. No costs.

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

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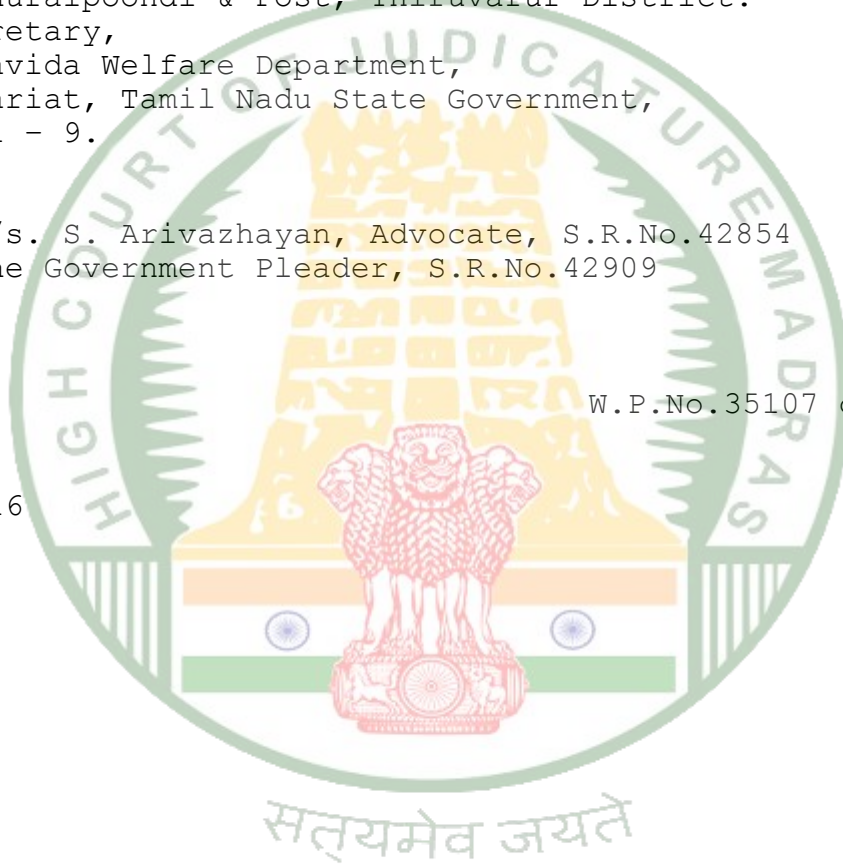
To

- 1.The District Collector,  
Collectorate, Thiruvarur District, Thiruvarur.
- 2.The Revenue Divisional Officer,  
Office of the Revenue Divisional Office,  
Mannarkudi & Post,Thiruvarur District, Thiruvarur.
- 3.The Tahsildar,  
Taluk Office,  
Thiruthuraipoondi & Post, Thiruvarur District.
- 4.The Secretary,  
Adi Dravida Welfare Department,  
Secretariat, Tamil Nadu State Government,  
Chennai - 9.

+1cc to M/s. S. Arivazhayan, Advocate, S.R.No.42854  
+1cc to the Government Pleader, S.R.No.42909

W.P.No.35107 of 2013

NR(CO)  
Eu 19.09.16



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