

IN THE HIGH COURT OF JUDICATURE AT MADRAS

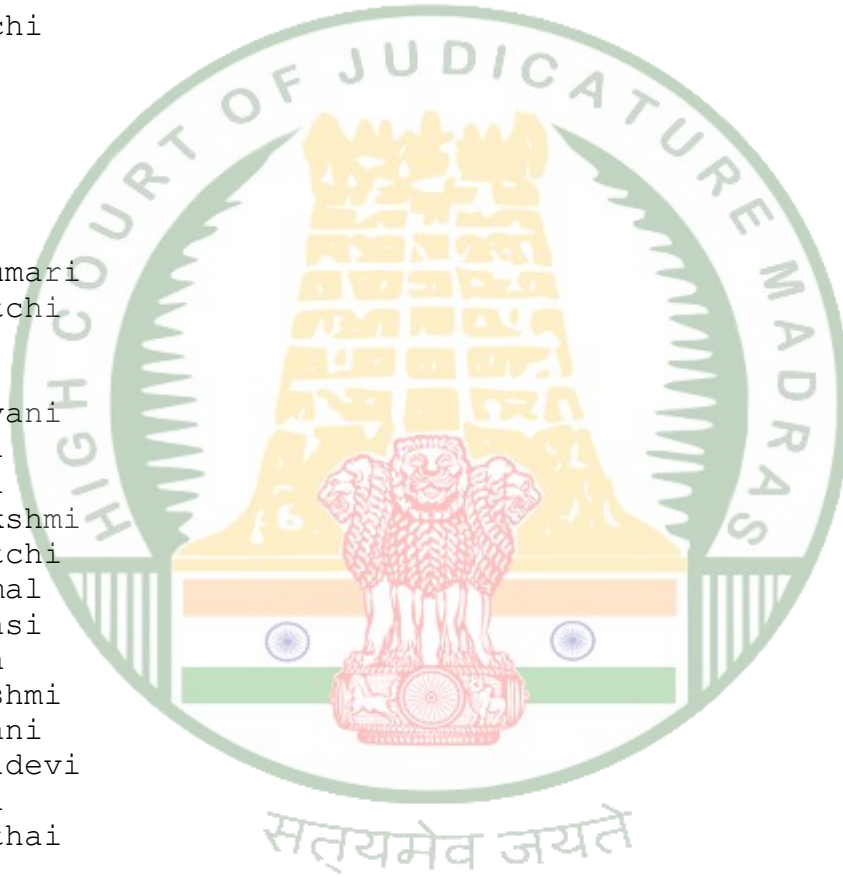
DATED: 26.09.2016

C O R A M

THE HON'BLE Mr.JUSTICE T.S.SIVAGNANAM

W.P.No.33697 of 2016

- 1.Lakshmi
- 2.Anjalatchi
- 3.Selvi
- 4.Dhanusu
- 5.Gowri
- 6.Uma
- 7.Sudha
- 8.Mala
- 9.Santhakumari
- 10.Anjalatchi
- 11.Selvi
- 12.Devi
- 13.Sathyavani
- 14.Umaiya
- 15.Lakshmi
- 16.Gunalakshmi
- 17.Visalatchi
- 18.Veerammal
- 19.Kalairasi
- 20.Radhika
- 21.Dhalakshmi
- 22.Kalaivani
- 23.Lakshmidevi
- 24.Anandhi
- 25.Poongothai
- 26.Praba
- 27.Bharathi
- 28.Selvagandhi
- 29.Usha
- 30.Rani
- 31.Padmavathy
- 32.Abazhani
- 33.Vimala
- 34.Egavalli
- 35.Asainayagi
- 36.Kasiamma
- 37.Janagi
- 38.Devagi



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39.Latha
40.Sasikala
41.Bhuvaneswari
42.Shantha
43.Vanaja
44.Kalaimani
45.Balasankari
46.Kasthuri
47.Pakkiri
48.Rajeshwari
49.Kannagi
50.Maniyamma
51.Kavimalar
52.Kannan
53.Chinnapillai
54.Sivaselvi
55.Ranjitham
56.Vakitha
57.Vasugi

... Petitioners

Vs

1. The District Collector,
Cuddalore District,
At Cuddalore.
- 2.The District Adi Dravidar Welfare Officer,
Cuddalore District,
At Cuddalore.
3. The Special Tahsildar,
Adi Dravidar Welfare,
Cuddalore District.
4. The Taluk Head Surveyor,
Cuddalore Taluk, Cuddalore District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus or any other writ or order or direction in the nature of writ, directing the respondents to measure the property situated in Resurvey No.139/20A, 142/2B, 319/20, 21 and 139/30, Naduveerapattu Colony, N.Moolakuppam Post, Cuddalore Taluk and District totally to an extent of 3.85 acres which was allotted by the respondents to and in favour of the petitioners (each 3 cents) and erect milestones in the same by considering the petitioners representations dated 15.06.2015 and 23.06.2016.

For petitioners
For respondents

... Mr.A.Rajesh Kanna
... Mr.S.V.Duraisolai Malai, AGP

ORDER

Heard Mr.A.Rajesh Kanna, learned counsel for the petitioners and Mr.S.V.Duraisolai Malai, learned Additional Government Pleader accepting notice on behalf of the respondents.

2 The petitioners have been selected as the beneficiaries for the grant of free house site patta in the lands which were acquired by the respondents for such purpose comprised in Resurvey No.139/20A, 142/2B, 319/20, 21 and 139/30, Naduveerapattu Colony, N.Moolakuppam Post, Cuddalore Taluk and District.

3 The case of the petitioners is that the land owner challenged the land acquisition proceedings by filing WP.No.25718/2005 and the said writ petition was dismissed for default for non-compliance of the requirements mentioned by the Registry including payment of batta, vide order dated 24.06.2011. The petitioners' further case is that though the land acquisition proceedings had attained finality in the year 2011 itself, till date the petitioners/beneficiaries have not been granted patta and no action has been initiated by the respondents 3 and 4 to survey the land and to plot out the same and thereafter, for the respondents 1 and 2 to issue patta. In this regard, representations have been given.

4 As rightly pointed out by the learned Additional Government Pleader appearing for the respondents, there is no proof to show that these representations were received by the respondents 3 and 4.

5 Thus, in the absence of any acceptable proof of receipt of representations by the respondents 3 and 4, at this juncture, this Court cannot issue any direction to the authorities to act in a particular manner. However, the petitioners are not left without any remedy.

6 In the light of the above facts, the petitioners are directed to submit a representation to the 3rd respondent along with a copy of this order, enclosing the list showing their names as beneficiaries for allotment of free house site patta. If such representation is received, the 3rd respondent shall verify the details and if necessary, conduct an enquiry and pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of this order, if there are no other legal impediments.

7 The writ petition stands disposed of with the above direction. No costs.

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

AP
To

1. The District Collector,
Cuddalore District,
At Cuddalore.
2. The District Adi Dravidar Welfare Officer,
Cuddalore District,
At Cuddalore.
3. The Special Tahsildar,
Adi Dravidar Welfare,
Cuddalore District.
4. The Taluk Head Surveyor,
Cuddalore Taluk,
Cuddalore District.

+1 CC to Mr. A. Rajesh Kanna, Advocate Sr.NO.54775
+1 CC to Government Pleader, Sr.No.550481

सत्यमेव जयते W.P.No.33697 of 2016

SR (CO)
MD : 19/10/2016

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