

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.3511 of 2016

Rukku @ Rukkammal

... Petitioner

vs

1. The District Collector
Dharmapuri.

2. The Special Tahsildar
Land Acquisition
Most Backward Welfare Department
Dharmapuri.

... Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the second respondent to conduct an enquiry and cancel the patta in view of the second respondent proceedings vide Se.Mu.Na.Ka.No.24717/2012/Y8 dated 06.01.2016 in view of the representation given by the petitioners on 13.01.2016 for cancellation of the pattas in respect of the property situated at Jangamaiyanur Village, Chenganoor Post, Pennagaram Taluk, Dharmapuri District.

For Petitioner : Mr.S.Arivazhagan

For Respondents: Mr.S.Navaneethan
Additional Government Pleader

सत्यमेव जयते
O R D E R

The prayer in the writ petition is to issue a Writ of Mandamus directing the second respondent to conduct an enquiry and cancel the patta in view of the second respondent proceedings vide Se.Mu.Na.Ka.No.24717/2012/Y8 dated 06.01.2016 in view of the representation given by the petitioners on 13.01.2016 for cancellation of the pattas in respect of the property situated at Jangamaiyanur Village, Chenganoor Post, Pennagaram Taluk, Dharmapuri District.

2. The case of the petitioner is that the petitioner belongs to Most Backward Class Community. Hence, they earlier approached the Government to issue free house site pattas to the

landless poor people and accordingly, the respondents have also issued pattas to nearly 72 persons including the petitioner in S.No.366 in Sengannur Village, Pennagaram Taluk through the Department of Backward, Most Backward and Minority Welfare. It is the further case of the petitioner that some persons have obtained the pattas fraudulently in the name of the dead persons. Therefore, the possession was not granted to the persons, who have obtained pattas by dividing the plots by metes and bounds. According to the petitioner, she along with 34 persons had earlier made a representation to the first respondent with a request to cancel the pattas issued to the 72 persons and also identify the real beneficiaries and issue the same. The said representation was forwarded by the first respondent to the second respondent; however till date the same was not considered by the second respondent. Hence the present writ petition.

3. Heard the learned counsel for the petitioner and Mr.S.Navaneethan, learned Additional Government Pleader appearing on behalf of the respondents.

4. Considering the facts and circumstances of the case, the second respondent is directed to conduct an enquiry based on his proceedings dated 06.01.2016 and also by considering the representation of the petitioner dated 13.01.2016 and after affording an opportunity of personal hearing to the petitioner and those persons, who are likely to be affected and pass a detailed order within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS V)

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

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To

1. The District Collector
Dharmapuri.

2. The Special Tahsildar
Land Acquisition
Most Backward Welfare Department
Dharmapuri.

+1cc to Mr.S.Arivazhagan, Advocate, S.R.No.6031
+1cc to the Government Pleader, S.R.No.6524

W.P.No.3511 of 2016

sk(CO)
srg(11/02/2016)



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