

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.01.2016

CORAM

THE HON'BLE MR. JUSTICE M.M.SUNDRESH

W.P.No.383 of 2016

Palaniammal

... Petitioner

Vs.

1. The Director,
Adi-Dravida Welfare Office,
Chepauk, Chennai-5.
2. The District Collector,
Tiruvannamalai District,
Tiruvannamalai.
3. The Tahsildar,
Kalasappakkam Taluk,
Tiruvannamalai District.
4. The Special Tahsildar,
Adi-Dravidar Welfare,
Polur, Taluk,
Tiruvannamalai District.
5. The Revenue Divisional Officer,
Tiruvannamalai,
Tiruvannamalai District

... Respondents

Prayer:Petition filed under Article 226 of The Constitution of India praying to issue a writ of Mandamus, directing the first respondent to pass an order as per the recommendation in Na.Ka.No.K1/56725/1995 dated 15.05.2015 passed by the second respondent and petitioner representation dated 30.09.2015.

For Petitioner : M/s.R.T.Sundari & G.Kadhiresan
For Respondent : Mrs.P.Rajalakshmi,
Nos.1 to 5 Government Advocate

O R D E R

Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

2.The petitioner earlier filed W.P.No.10050 of 2014, seeking issuance of patta by cancelling the classification of poromboke land. By order dated 19.03.2015 and the same was disposed of observing as under:

"... 2.Earlier, the petitioner approached this Court by filing W.P.No.24968 of 2004 wherein she prayed for issuance of a Writ of Certiorarified Mandamus to quash the order dated 04.03.2003 of the Tahsildar, Polur, Tiruvannamalai District insofar as it relates to reclassification of the land and to forbear the respondents therein from taking delivery of possession of the land occupied by her. The said writ petition was allowed by this Court on 23.08.2013 and the respondents therein were restrained from taking delivery of possession of the land comprised in Survey No.88/3 from the petitioner. On the strength of the order dated 23.08.2013 passed by this Court in W.P.No.24968 of 2004, the petitioner has submitted a representation dated 18.09.2013 to the first respondent for grant of patta in her favour by effecting necessary entry in the revenue records. The said representation dated 18.09.2013 of the petitioner was forwarded by the first respondent by proceedings dated 04.10.2013 to the second respondent and it is pending on the file of the second respondent. Therefore, there will be a direction to the second respondent herein to consider the representation dated 18.09.2013 of the petitioner for grant of patta in her favour taking note of the order dated 23.08.2013 passed by this Court in W.P.No.24968 of 2004, afford an opportunity of hearing to the petitioner and other parties, if any, and then pass orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. ..."

3.In pursuant of the above said order, the second respondent has sent a communication dated 15.05.2015 to the first respondent. Thereafter, the petitioner issued a contempt notice, alleging that the order passed by this Court is not complied with. It was replied by the third respondent stating that the matter is pending consideration before the first respondent. The petitioner made further representation on 30.09.2015 to the first respondent. As no action is forthcoming, the present writ petition is filed.

4.Considering the above, a direction is issued to the first respondent to pass appropriate orders in pursuant to the proceedings of the second respondent dated 15.05.2015 in NMK.No.K1/56725/1995 and on the representation of the petitioner dated 30.09.2015, within a period of eight 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.

DP

s/d-
Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

To

1. The Director,
Adi-Dravida Welfare Office,
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Adi-Dravidar Welfare,
Polur, Taluk,
Tiruvannamalai District.
 5. The Revenue Divisional Officer,
Tiruvannamalai,
Tiruvannamalai District.
- + 1 cc to Mr.R.Margabandhu, Advocate SR 2059
- + 1 cc to Govt.Pleader SR 1374

scd(co)
prk19/1

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