

IN THE HIGH COURT OF JUDICATURE AT MADRAS

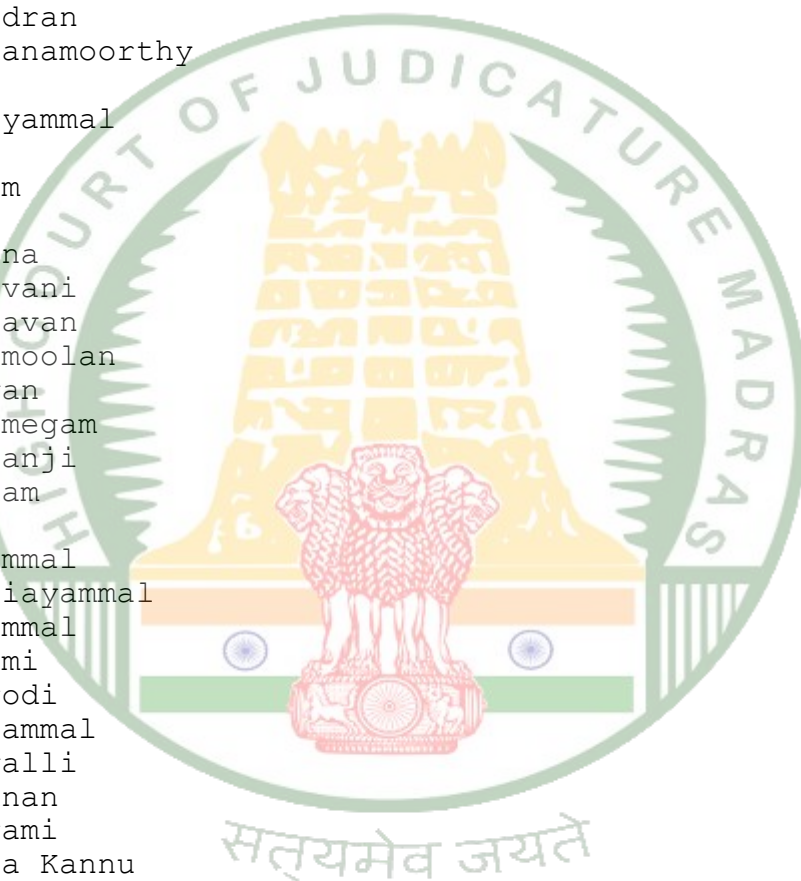
DATED : 17.02.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

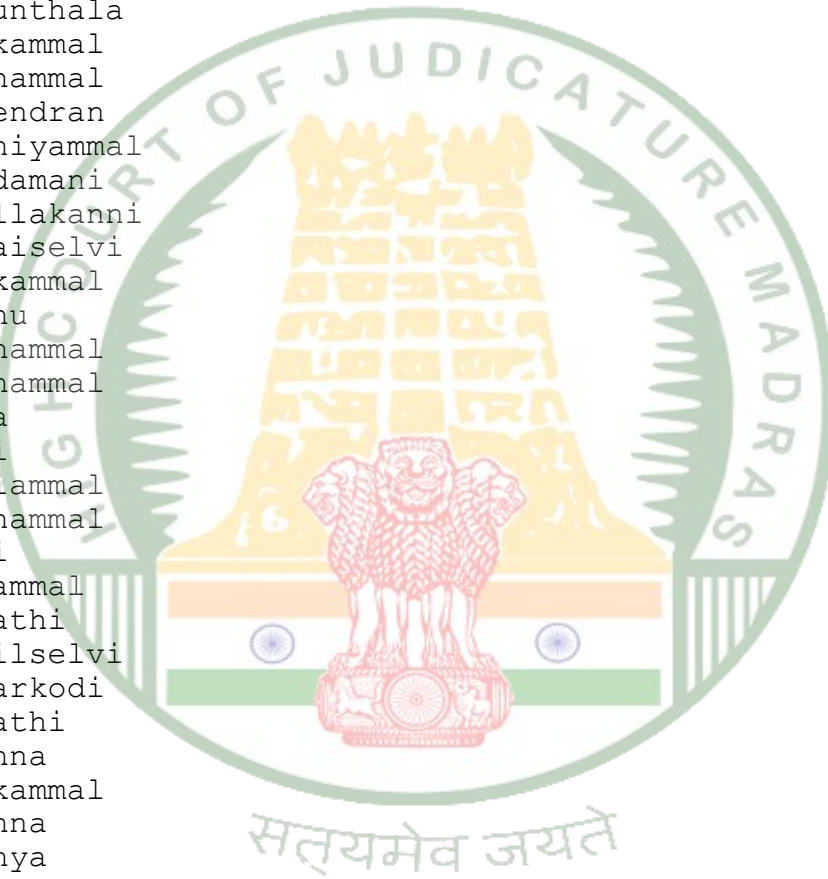
W.P.No.5345 of 2016

1 J.Shanmugam
2 A.Rajendran
3 M.Santhanamoorthy
4 R.Sudha
5 M.Velaiyammal
6 K.Gopal
7 J.Selvam
8 M.Mohan
9 K.Kalpana
10 K.Kalaivani
11 K.Chinnavan
12 K.Aadhimoolan
13 S.Muniyan
14 M.Neelamegam
15 P.Theepanji
16 M.Santham
17 M.Sivan
18 P.Veerammal
19 M.Palaniayammal
20 T.Mookammal
21 M.Lakshmi
22 G.Poongodi
23 M.Chinnammal
24 A.Inbavalli
25 K.Krishnan
26 L.Sivagami
27 M.Chinna Kannu
28 M.Nagalakshmi
29 S.Jamuna
30 S.Sarasu
31 E.Lakshmi
32 A.Rukmani
33 M.Dhanammal
34 V.Poongodi
35 N.Nagammal
36 P.Menaga
37 M.Jayalakshmi
38 P.Mathammal
39 A.Muthumari
40 M.Jaya



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41 S.Govindammal
42 S.Chinnapappa
43 G.Munijaya
44 V.Jaya
45 M.Senthilkumar
46 S.Muniyammal
47 K.Kuppammal
48 S.Rekkammal
49 G.Puttiyammal
50 M.Muniyammal
51 M.Mathammal
52 M.Kanchana
53 K.Sagunthala
54 M.Mookammal
55 A.Mathammal
56 A.Mahendran
57 V.Munniyammal
58 M.Soudamani
59 M.Chellakanni
60 R.Kalaiselvi
61 M.Mookammal
62 M.Indhu
63 M.Mathammal
64 K.Mathammal
65 S.Jaya
66 R.Sasi
67 M.Kaliyammal
68 R.Kannammal
69 A.Rani
70 V.Nagammal
71 S.Sumathi
72 J.Tamilselvi
73 R.Malarkodi
74 T.Sumathi
75 M.Rathna
76 M.Mookammal
77 M.Rathna
78 M.Sathya
79 R.Kalaiyarasi
80 C.Sucila
81 C.Thangavel
82 S.Perumal
83 R.Murugan
84 S.Vasugi
85 A.Lakshmi
86 J.Mathammal
87 B.Kalpana
88 M.Kaliyammal
89 T.Ranganathan
90 K.Chinnaival
91 K.Pusha



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92 S.Selvakumar
93 J.Kannupillai
94 D.Ravi
95 K.Devaraj
96 V.Ravi
97 G.Kanagaraj
98 G.Kathirvel
99 M.Valli
100 K.Menaga
101 R.Elayaraja
102 M.Santha
103 M.Murali
104 M.Priya
105 M.Selvam
106 P.Kanaga

.. Petitioners

Vs

1 The District Collector,
Dharmapuri District,
Dharmapuri-5.

2 The Director Adi Dravidar,
Welfare Officer,
Dharmapuri -5.

3 The Special Tahsildar,
Adi Dravidar Welfare,
Dharmapuri.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus to direct the respondents to consider and pass orders within a limited time frame on the representation dated 23.4.2014 of the petitioner regarding grant of free house site patta in the land in Survey No. 328/2 327 328/1 685/1 and 708/1B.3 in Nathahalli Village Dharmapuri Taluk Dharmapuri District acquired for providing free house site patta for Adi Dravidas of Old Indoor Village.

For Petitioners : M/s.G.Punniyakotti
For respondents : M/s.P.Rajalakshmi, GA.

O R D E R

With the consent of both sides, the Writ Petition is taken up for final disposal.

2.The petitioners have come up with the present writ petition for issuance of writ of mandamus to direct the respondents to consider the representation dated 23.4.2014 of

the petitioner regarding grant of free house site patta in the land in Survey No. 328/2 327 328/1 685/1 and 708/1B.3 in Nathahalli Village Dharmapuri Taluk Dharmapuri District acquired for providing free house site patta for Adi Dravidas of Old Indoor Village.

3.The petitioners submit that the Special Tahsildar (ADW) Dharmapuri initiated proceedings to acquire lands in Survey No.328/2, 327, 328/1, 685/1 and 708/1 B.3 (total extent of 2.75.5 hectares) in Nathahalli village, Dharmapuri District by issuing notice on 03.12.1998 under Rule 3 (1) of the Tamil Nadu Acquisition of Land for Harijan Welfare Scheme Rules for the purpose of providing free house site pattas to the Adi Dravidas of Old Indoor village.

4.One Mohammed Ayub Khan prepared objection on 06.02.2001 and 12.02.2001 stating that he owns lands to an extent of 0.89.5 hectares in S.No.328/2 in Nathanahalli village. Under Section 4 (3)(a) of the Act, the District Collector has to pass orders after calling upon the owner to show cause under Section 4(2) of the Act and Under Section 4(3)(b) of the Act after considering the report of the officer so authorised to call upon the owner to show cause, before publishing a notice under Section 4(1) of the Act. As there was no response on the side of the respondent, the said Mohammed Ayubkhan filed WP.No.16541 of 2001 before this Court to quash the said notification dated 14.02.2001, this Court by an order dated 29.06.2010 was pleased to allow the writ petition and set aside the notification dated 14.02.2001. In compliance to the order dated 29.06.2010 of this Court, the Special Tahsildar (ADW) Dharmapuri has resumed action to grant pattas to the families of Adi Dravidas of Old Indoor Village and has grant patta to seven persons in the village at the rate of 3 cents of house site each, during December 2013.

5.The petitioners in this writ petition also submitted their representation on 23.04.2014 before the respondents requesting them to grant house site patta in their name. Since, the representation was pending, the petitioners approached this Court.

6.Heard the submissions of learned counsel appearing for the petitioners and the learned Government Advocate who accepts notice on behalf of the respondents.

7.In view of the above stated position, this Court directs the respondents to consider the representation of the petitioners dated 23.04.2014 for issuance of house site patta within a period of twelve weeks from the date of receipt of a copy of this order, after affording opportunity of personal hearing to the petitioners.

8.The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1 The District Collector,
Dharmapuri District,
Dharmapuri-5.

2 The Director Adi Dravidar,
Welfare Officer,
Dharmapuri -5.

3 The Special Tahsildar,
Adi Dravidar Welfare,
Dharmapuri.

+1cc to Mr.G.Punniyakotti, Advocate, S.R.No.10366

+1cc to the Government Pleader, S.R.No.10197

W.P.No.5345 of 2016.

svi(CO)
srg(04/03/2016)

सत्यमेव जयते

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