

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.03.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.6121/2017

Grama General Welfare sangam
Regn No.7/2015 rep.by its President
Pasarai Balu

.. Petitioner

Vs

- 1.The Secretary
Government of Tamilnadu
Housing and Urban Development
Department, Fort St George,
Secretariat, Chennai 600 009.
- 2.The District Collector
Collectorate Office, Villupuram.
- 3.The Revenue Divisional Officer
Kallakurichi, Villupuram District.
- 4.The Tahsildar
Chinna Salem, Villupuram District.
- 5.The Executive Officer
Vadakananthal Town Panchayat
Villupuram District.
- 6.Raman
- 7.N.Natarajan

.. Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the respondent particularly the Revenue Divisional Officer, Kallakurichi, the 3rd respondent herein, to cancel the patta No.850/2016 issued in the name of the 6th respondent by considering the petitioner representations dated 19.08.2016 and 02.11.2016 to the 3rd respondent.

For Petitioner	:	Mr.K.Balakrishnan
For RR 1 to 4	:	Mr.S.Pattabiraman, GA
For R5	:	Mrs.M.Jayasree, GA

ORDER

By consent, the writ petition is taken up for final disposal. Mr.S.Pattabiram, learned Government Advocate accepts notice on behalf of the respondents 1 to 4 and Mrs.M.Jayasree, learned Government Advocate accepts notice on behalf of the 5th respondent herein.

2 The petitioner claims to be the President of Grama General Welfare Sangam having Registration No.7/2015 and according to him, the lands in New Survey Nos.445/3 and 445/2C corresponding to Old Survey No.22/3A and 3B, and also the lands admeasuring to an

extent of 12 cents in Survey No.22/4A situate at Vadakananthal Village, Kachirapalayam, Chinna Salem Taluk, Villupuram District, for the purpose of providing house sites to people belonging to Adi Dravidar Community and after such acquisition, the lands were also handed over to the respective beneficiaries and they were also allowed to put up superstructures.

3 It is averred by the petitioner that the people belonging to Poyar Community, had encroached upon the public pathway in the said area and started putting up construction, which also resulted in initiation of proceedings under section 145 Cr.P.C., by the Sub Divisional Magistrate – Revenue Divisional Officer, Kallakurichi and an interlocutory order was also passed. The grievance expressed by the petitioner is that one Karuppan Chetty S/o.Raman, had fabricated the records and managed to get Patta No.850 from the Revenue Department of the Government of Tamil Nadu in respect of the land admeasuring to an extent of 0-3.50 ares in Survey No.445/3 situate at Vadakanandal East Village, Villupuram District and in this regard, a representations dated 02.11.2016 was also submitted to the respondents and the said representations were acknowledged by the respondents 3 and 4 on 03.11.2016 and 04.11.2016 respectively and in

spite of it, no action has been taken to cancel the patta granted in favour of Karupan Chetty, son of Raman and hence, the petitioner came forward to file the present writ petition.

4 Heard the learned counsel for the petitioner ; Mr.S.Pattabiraman, learned Government Advocate appearing for the respondents 1 to 4 and Mrs.M.Jayasree, learned Government Advocate appearing for the 5th respondent.

5 Though the petitioner Association has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by them, either in their representations or in this writ petition, directs the 3rd respondent to put Mr.Karupan Chetty, son of Raman, residing at Poyar Street, Kachirapalayam, Chinna Salem Taluk, Villupuram District as well as the 7th respondent herein, on notice and thereafter, consider and dispose of the petitioner's representation dated 02.11.2016 on merits and in accordance with law and pass appropriate orders within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as to the above said persons.

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

14.03.2017

Speaking Order

Index : No

Internet : Yes

AP

To

- 1.The Secretary
Government of Tamilnadu
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- 4.The Tahsildar
Chinna Salem, Villupuram District.
- 5.The Executive Officer
Vadakananthal Town Panchayat
Villupuram District.

Copy marked to:-

- 1]Mr.Karupan Chetty
S/o.Raman,
Poyar Street, Kachirapalayam
Chinna Salem Taluk, Villupuram District.
- 2]N.Natarajan
s/o.Narayanan,
21-A, Mariamman Kovil St., Kachirapalayam Taluk
Chinna Salem Taluk, Villupuram District 606 207.

M.SATHYANARAYANAN, J.,

AP

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