



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.08.2017

CORAM:

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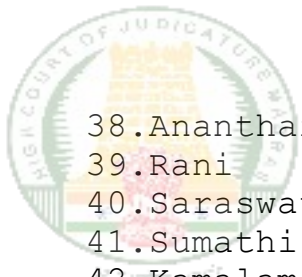
THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.2498 of 2014

and

M.P. (MD) .Nos. 2 to 5 of 2014

- 1.Jeya
- 2.Lakshmi
- 3.Subbammal
- 4.Ambikapathi
- 5.Mariyammal
- 6.Rajan
- 7.Sollamuthu
- 8.Indira
- 9.Ramasamy
- 10.Mariyappan
- 11.Saraswathi
- 12.Esakkiyammal
- 13.Sankaravadivoo
- 14.Jeya
- 15.Saroja
- 16.Susila
- 17.Anbarasi
- 18.Sekar
- 19.Janaki
- 20.Petchi
- 21.Ramasubiramaniyan
- 22.Jems
- 23.Eswari
- 24.Nagammal
- 25.Rajendran
- 26.Santhi
- 27.Prema
- 28.Amutha Sharmila
- 29.Vijyalakshmi
- 30.Saraswathi
- 31.Selvi
- 32.Samuvel Jeyaseelan
- 33.Dhevaraj
- 34.Esaki
- 35.Madathi
- 36.V. Jeyaraj
- 37.Vennimuthu



38. Anantharaj
39. Rani
40. Saraswathi
41. Sumathi
42. Kamalam
43. Chellammal
44. Lakshmi
45. Inbavalli
46. Sundaravalli
47. Santhi
48. Arulkani
49. Kannan
50. Suresh
51. Esakimuthu
52. Poomari
53. Barani
54. Kaliammal
55. Annathai
56. Arputharaj
57. Vadivoo

... Petitioners

Vs.

1. The Government of Tamil Nadu,
Rep. by The Secretary,
Adi Dravidar Welfare Department,
Fort St. George,
Chennai - 9.

2. The District Collector,
Tirunelveli District,
Tirunelveli.

3. The Special Tahsildar,
(Adi Diravidar Welfare),
Land Acquisition,
Cheranmahadevi,
Tirunelveli District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, forbearing the respondents from evicting the petitioners from their dwelling houses without considering the petitioner's request to acquire the lands in survey Nos. 176/1B, 176/2A2, 178/1A1, 179/1B, 179/2A, 179/2B and for consequential patta to the petitioners.

For Petitioners

: Mr. M. Maran

For R1 to R3

: Mr. M. Govindan
Special Government Pleader



O R D E R

[Order of the Court was made by G.R.SWAMINATHAN, J.]

The petitioners are 57 in number. They belong to Scheduled Caste Community. According to the writ petitioners, about 147 Adi Dravidar families are residing in Survey Nos. 176/1B, 176/2A2, 178/1A1, 179/1B, 179/2A, 179/2B, Ponmanagar Kelatheru, Kallidaikuruchi, Ambasamuthiram Taluk, Tirunelveli District.

2.They have been representing to the authorities concerned for issuance of free house site patta. The said occupants are also facing threats from certain private parties. The Writ Petitioners, therefore, submitted representation dated 03.02.2014 to the authorities. The same has not yet been considered so far. In these circumstances, the present writ petition has been filed for protecting their possession.

3.Since the Writ Petitioners belong to the marginalised sections of the Society, this Court directs the second respondent to sympathetically look into their representation dated 03.02.2014 and thereafter, pass appropriate order in accordance with law, taking into account the condition of the writ petitioners, within a period of three months from the date of receipt of a copy of this order. Till a decision is taken by the second respondent, the writ petitioners ought not be evicted. In any event, the writ petitioners shall not be dispossessed, except by due course of law.

4.The writ petitions are accordingly disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub-Assistant Registrar

To:

- 1.The Secretary,
Government of Tamil Nadu,
Adi Dravidar Welfare Department, Fort St. George, Chennai - 9.
- 2.The District Collector, Tirunelveli District,
Tirunelveli.
- 3.The Special Tahsildar, (Adi Diravidar Welfare),
Land Acquisition, Cheranmahadevi, Tirunelveli District.

Is/gk

<https://hcservices.courts.gov.in/cs/Arb/11/9/2017>

W.P. (MD) No.2498 of 2014
17 August 2017