



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 06.07.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE **K.KALYANASUNDARAM**

W.P (MD) No.12536 of 2017

and

WMP (MD). No.9663 of 2017

P.Muniyammal

...Petitioner

Vs

1.The Special Tahsildar, (Adi-Dravida Welfare),
Mudukulathur,
Ramanathapuram District.

2.The Deputy Superintendent of Police,
Mudukulathur,
Ramanathapuram District.

3.The Inspector of Police,
Peraiyur,
Ramanathapuram District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court, to issue a Writ of Mandamus directing the respondents to re-measure the property allotted to the petitioner under Adi-Dravida Destitute Widow Category in Plot No.43, Adi-Dravida Colony, S.No.328/1,2, Pakkuvetti Group, Kamuthi Taluk, Ramanathapuram District and put boundary stones thereon by removing the dumped articles and grant proper Police protection to the petitioner to occupy the plot.

For Petitioner : Mr.C.K.M.Appaji

For Respondents : Mr.C.Selvaraj

Special Government Pleader

ORDER

Mr.C.Selvaraj, learned Special Government Pleader takes notice for the respondents.

2. By consent of both parties, the main Writ Petition is taken up for disposal, at the admission stage itself.

<https://hcservices.courts.gov.in/hcservices/> Writ Petition has been filed by the petitioner for issuance of a Writ of Mandamus, directing the first respondent to



re-measure the property allotted to the petitioner under Adi-Dravida Housing Colony in Survey No.328/1,2, Uppankulam Village Pakkuvetti Group, Kamuthi Taluk, Ramanathapuram District.

4. The case of the petitioner is that she is a destitute Widow belonging to Adi-Dravida Community. As she was not having a dwelling house, she has applied before the first respondent for allotment of a Housing Unit in Adi-Dravida Housing Colony. Accordingly, the first respondent vide proceedings dated 20.07.2016, allotted a housing Plot bearing No.43, Adi-Dravida Colony in Survey No.328/1,2, Uppankulam Village Pakkuvetti Group, Kamuthi Taluk, Ramanathapuram District.

5. The further case of the petitioner is that she is planning to put up a dwelling house in her plot. Since some miscreants prevented her from entering into her plot, she preferred a complaint to the first respondent. Based on her request, the first respondent measured the property of the petitioner and fixed the boundary stones. However, subsequently, on 27.05.2017, the boundary stones were damaged and Karuveta trees were dumped in the plot of the petitioner. Hence, she gave a representation to the third respondent on 09.06.2017 and also requested the first respondent to re-measure the property and put boundary stones with the help of the Police. Since no action was taken, the present Writ Petition is filed by the petitioner.

6. The learned Special Government Pleader appearing for the respondents, on instructions submitted that the petitioner was allotted three cents of land by the first respondent in the year 2016 and a portion of the housing plot was encroached by one Murugan. He would further submit that the third respondent would extend their support while conducting the re-survey of the property of the petitioner.

7. In view of the above facts, the first respondent is directed to re-measure the property of the petitioner and fix the boundary stones. During the re-survey, the third respondent is directed to provide necessary protection to the first respondent.

8. With the above direction, the Writ Petition stands disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (Writs)

/True Copy/



To

1.The Specila Tahsildar, (Adi-Dravida Welfare),
Mudukulathur,
Ramanathapuram District.

2.The Deputy Superintendent of Police,
Mudukulathur,
Ramanathapuram District.

3.The Inspector of Police,
Peraiyur,
Ramanathapuram District.

+1cc to M/S.C.K.M.Appaji, Advocate SR.No. 64062

+1cc to Special Government Pleader, SR.No. 64434

W.P (MD) No.12536 of 2017
06.07.2017

km/pm

JM/SKN RSK/SAR 2/13.07.2017/3P/6C