

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.04.2018

CORM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR. JUSTICE P.RAJAMANICKAM

WP.No.11001/2018

Sampath

.. Petitioner

Versus

- 1.The District Collector
Collectorate of Thriuvannamalai
Tiruvannamalai District.
- 2.The District Adi Dravidar Welfare Officer
District Adhi Dravidar Welfare Office
Tiruvannamalai District.
- 3.The Special Tahsildar
Adhiddraavidar Welfare Department
Chengam Taluk, Tiruvannamalai District. ... Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents to remove the encroachment in reserve site for common purpose in layout approval plan for property comprised in S.No88/2B1,2B3, Alapputhur Village, Chengam Taluk, Tiruvannamalai.

For Petitioner : Mr.J.Stalin

For Respondents : Mr.R.Udhayakumar, AGP

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ORDER

[Order of the Court was made by M.SATHYANARAYANAN, J.,]

By consent, the writ petition is taken up for final disposal. Mr.R.Udhayakumar, learned Additional Government Pleader accepts notice on behalf of the respondents.

2 The petitioner would aver that the 3rd respondent has formed a layout for house sites for people belonging to Adi Dravidar Community in S.No.88/2B1 and 2B3 admeasuring to an extent of 5.04 acres in Alapputhur Village, Chengam Taluk, Tiruvannamalai

District, vide proceedings dated 0.12.1999 in K1/5047/1999 and as per the Layout plan, 115 house sites along with the area reserved for common purpose were formed and the petitioner would claim that he was allotted with the Site No.17 vide proceedings dated 08.12.1999 in A/2381/1999. The grievance now expressed by the petitioner is that some unknown persons made encroachment upon the area reserved for common purpose and started putting up semi-permanent structure and in this regard, a representation dated 20.03.2018 has been submitted to the respondents and despite receipt and acknowledgment, no orders have been passed and hence, the petitioner came forward to file the present writ petition.

3 The Court heard the submissions of the learned counsel for the petitioner and Mr.R.Udhayakumar, learned Additional Government Pleader appearing for the respondents and also perused the materials placed before it.

4 This Court, taking into consideration, the above facts and circumstances and without going into the merits of the claim projected by the petitioner, either in his representation or in this writ petition, directs the 3rd respondent to consider and dispose of the petitioner's representation dated 20.03.2018 on merits and in accordance with law, after putting the concerned persons / alleged encroachers on notice 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 persons/alleged encroachers concerned.

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

-sd/-

Assistant Registrar

True Copy

Sub-Assistant Registrar

AP

To

1.The District Collector
Collectorate of Thriuvannamalai
Tiruvannamalai District.

2.The District Adi Dravidar Welfare Officer
District Adhi Dravidar Welfare Office
Tiruvannamalai District.

3.The Special Tahsildar
Adhiddravidar Welfare Department
Chengam Taluk, Tiruvannamalai District.

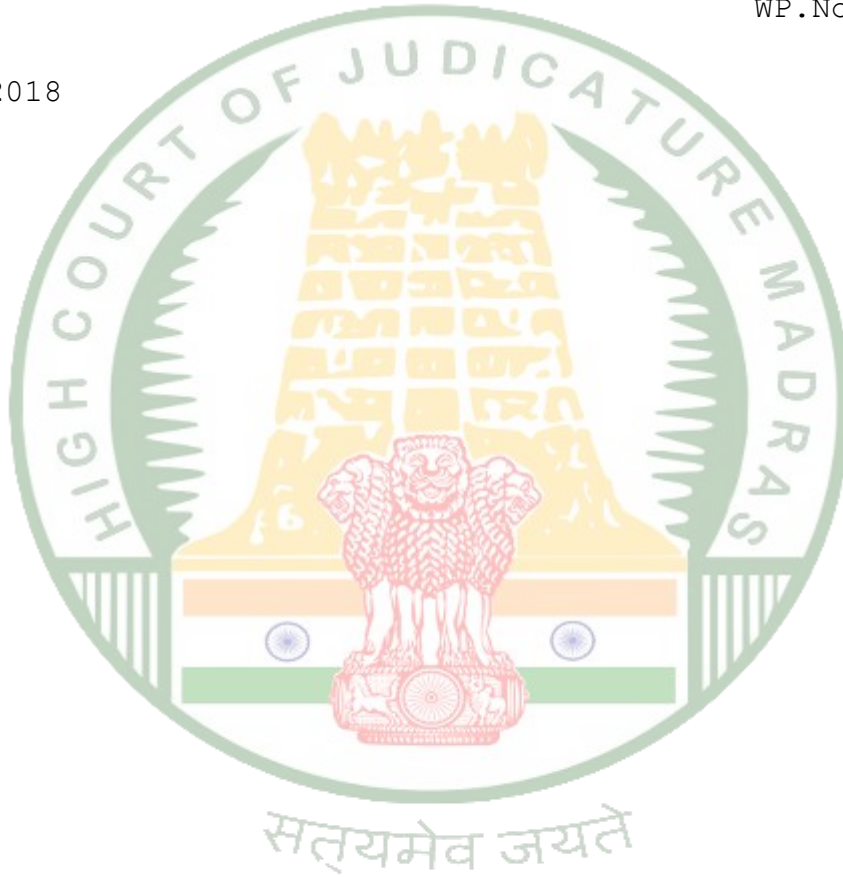
+1 C.C. to Mr.J.Stalin Advocate vide SR.NO. 32014

+1 C.C. to The Government Pleader vide SR.NO. 32930

WP.No.11001/2018

SKV (CO)

VS 18.05.2018



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