



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.08.2018

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P. [MD] .No.7906 of 2018

and

W.M.P. (MD)No.7496 of 2018

S.Sivashanmugam

: Petitioner

Vs.

1.The Government of Tamil Nadu,
Rep. by its Secretary,
Revenue Department,
Secretariat, Chennai.

2.The Government of Tamil Nadu,
Rep. by its Secretary,
Agricultural Department,
Secretariat, Chennai.

3.The District Collector,
Thanjavur District,
Thanjavur.

4.The Tahsildar,
Thiruvidaimaruthur Taluk,
Thanjavur District.

: Respondents



PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, forbearing the respondents to convert the agricultural "Kalam" situated in Survey No.137/7 at Manampadi Village to an extent of 0.43 Ares, in Survey No.160 to an extent of 0.21 Ares, in Survey No.105/8 to an extent of 0.14 Ares and in Survey No.29/6 to an extent of 0.2.5 Ares into house sites.

For Petitioner : Mr.N.Sudhagar Nagaraj
For Respondents : Mr.K.Saravanan,
Government Advocate

O R D E R

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

This Writ Petition has been filed seeking a Writ of Mandamus, forbearing the respondents to convert the agricultural "Kalam" into "house sites" stating that the petitioner and few others objected to the change of classification of the land from 'Kalam' to 'house sites'. The people belonging to the Adi Dravidar Community put up construction and sought for pattas. The fourth respondent conducted an enquiry and made a recommendation to the third respondent for change in classification as house sites and allotment of patta in favour of Adi Dravidar Community people. This was done after conducting an enquiry with both sides. At that stage, the present Writ Petition is filed.

2. We do not propose to entertain this Writ Petition.

<https://hcservices.ecourts.gov.in/hcservices/>

Admittedly, the decision to be taken is the third respondent.



Therefore, we direct the third respondent to take a decision pursuant to the proceedings of the fourth respondent in Na.Ka.4842-2017-M2, dated 03.04.2018. Appropriate orders will have to be passed by the third respondent, within a period of eight weeks from the date of receipt of a copy of this order. Before doing so, the third respondent is at liberty to hear the views of the petitioner's side as well as the beneficiaries.

3. The Writ Petition stands disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar(CS-I)

SML

To

1.The Secretary,
Government of Tamil Nadu,
Revenue Department,
Secretariat, Chennai.

2.The Secretary,
Government of Tamil Nadu,
Agricultural Department,
Secretariat, Chennai.

3.The District Collector,

Thanjavur District,
Thanjavur.



4.The Tahsildar,
Thiruvidaimaruthur Taluk,
Thanjavur District.

+1cc Special Government Pleader, SR No.79183

+1cc Mr.N.Sudhagar Nagaraj, SR No.79583

W.P.[MD].No.7906 of 2018

DS (NM) /SKN/SAR 1/14.09.18/3P/7C