WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.01.2018

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.(MD)No.10164 of 2014

1.Sankar
2.Alagammal
3.Ramu
4.Karuppan
5.Samayamuthu
6.Gori
7.Murugan
8.Manikandan
9.Eswari
10.Samayan
11.Gurusamy
12.Chinnaponnu
13.Mari ... Petitioners

Vs.

1. The District Collector,
   Madurai District.

2. The Special Tahsildar,
   Unit-II, Madurai North Taluk,
   Madurai. ... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 18.06.2014 and further direct them to give the house site pattas to our favour in the property in Survey No.260/2A and 2B in Vandiyur Theerthakadu Village, Madurai District which is specifically allotted for Adi-Dravidar people for the reason that the petitioners are belong to the category of Adi-Dravidar people and they are living in the above area from the year 1979 onwards.

For Petitioner : Mr.R.Prabu Ramachandran
For Respondents : Mr.Aayiram K.Selvakumar
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to the respondents to give house site pattas to the petitioners in Survey No.260/2A and 2B in Vandiyur Theerthakadu Village, Madurai District.

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2.According to the petitioners, they belong to Schedule Caste community. Earlier in the year 1978 an extent of 9.13 acres

of land has been acquired for providing house sites to Adi-Dravidar people. Since there are some encroachments in the above property, legal proceeding has been initiated to evict the encroachments. Finally, the Honourable Supreme Court of India in SLP(Civil) No.3603/2011 has passed the final orders by giving time for relocation of the encroachers by the end of March 2014, failing which the state will be at liberty to take steps to vacate the places and see that these areas are allotted to the Scheduled Caste. Thereafter, no steps have been take by the Government to evict the encroachments. Hence, the petitioners have filed an application seeking to grant house site patta, but no action has been taken on that application and hence, they have preferred the present writ petition.

3.The Tahsildar has filed a status report stating that despite the order passed by this Court as well as the Hon'ble Supreme Court, the authorities find very difficult to remove the encroachers. Subsequently all the encroachers were evicted by due process of law in the year 2014. Now the entire area is kept free from encroachments. Now the authorities are taking steps to grand patta to the eligible families and the poor needy of Adidravidar Community. The process of identification as well as verification of beneficiaries with respect to the eligible criteria will be taken up and the same will be completed within a short time.

4.Considering the aforesaid facts and circumstances and the report filed by the Special Tahsildar, the writ petition is disposed of, and the second respondent is directed to pass orders on merits and in accordance with law within a period of six months from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
   Madurai District.
2. The Special Tahsildar,
   Unit-II, Madurai North Taluk,
   Madurai.

+ 1 CC TO Mr.V.SANKARA NARAYANAN, ADVOCATE IN SR No. 43400
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 43995

TA/GSP
TE/MR/SAR-3 : 07/02/2018 : 2P/5C

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