

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2019

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. No.33921 of 2012

Marudupandiar Peravai
and Marudu Pandiar Arakattalai,
Rep. by its Secretary,
P.S.Vallavan

... Petitioner

Vs

The Secretary to Government,
Revenue Department,
State of Tamil Nadu,
Fort St. George,
Chennai - 600 009.

.... Respondent

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent herein to consider and pass orders on the petitioner's representation dated 31.08.2012.

For Petitioner : Mr.Gowri Shankar

For Respondent : Mr.R.S. Selvam
Government Advocate

ORDER

This writ petition has been filed for a Mandamus to direct the respondent to consider and pass orders on the petitioner's representation dated 31.08.2012.

2. It is the case of the petitioner that they are a Registered Trust and they are the owner of the property bearing Plot No.272 at Vijayaraghavapuram in Saligramam which was allotted to the petitioner by the Tamil Nadu Slum Clearance Board. It is their case that they are running a School in the aforesaid Plot and giving free education to poor children.

3. It is the case of the petitioner that subsequent to the allotment of Plot No.272 at Vijayaraghavapuram in Saligramam, some third parties belonging to higher income groups have got allotments in their favour which included Plot No.272 at

Vijayaraghavapuram in Saligramam, in which the School building of the petitioner is located. It is the case of the petitioner that subsequent to the re-allotment, the School building was demolished by the respondent. According to the petitioner the allotment in favour of the third parties were also cancelled by the respondent vide Proceedings dated 10.01.1997 in No.23765/96/E4.

4. According to the petitioner, they had made a representation to the Collector, Chennai District substantiating their right over Plot No.272 at Vijayaraghavapuram in Saligramam by addressing a letter dated 24.11.2003. According to the petitioner another representation was also sent by the petitioner to the respondent on 31.08.2012 by Registered Post with Acknowledgement Due (RPAD). It is the case of the petitioner that no response was sent to the representation of the petitioner, dated 31.08.2012 by the respondent. In such circumstances, this writ petition has been filed.

5. Heard Mr.Gowri Shankar, learned counsel for the petitioner and Mr.R.S.Selvam, learned Government Advocate for the respondent.

6. It is the case of the petitioner that they are a Public Registered Trust and a School was being run at Plot No.272 at Vijayaraghavapuram in Saligramam. According to them, third parties using their influence have obtained allotment of the same land from the respondent without any notice to the petitioner. They have also given a representation dated 31.08.2012 to the respondent requesting them to re-allot the land bearing 272 at Vijayaraghavapuram in Saligramam to the petitioner. Admittedly, the respondent has not considered the representation of the petitioner.

7. Considering the facts and circumstances of the case, this Court directs the respondent to consider the petitioner's representation dated 31.08.2012 for re-allotment of Plot No.272 at Vijayaraghavapuram in Saligramam and pass final orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order after providing due opportunity to the petitioner to put forward their contentions.

8. With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

vsi2

To

The Secretary to Government,
Revenue Department,
State of Tamil Nadu,
Fort St. George,
Chennai - 600 009.

+1cc to Mr.G.Jeremiah, Advocate SR.No.105110

+1cc to Government Pleader SR.No.103657

W.P. No.33921 of 2012

SR(CO)
GMY(30/01/2020)