

IN THE HIGH COURT OF JUDICATURE AT MADRAS

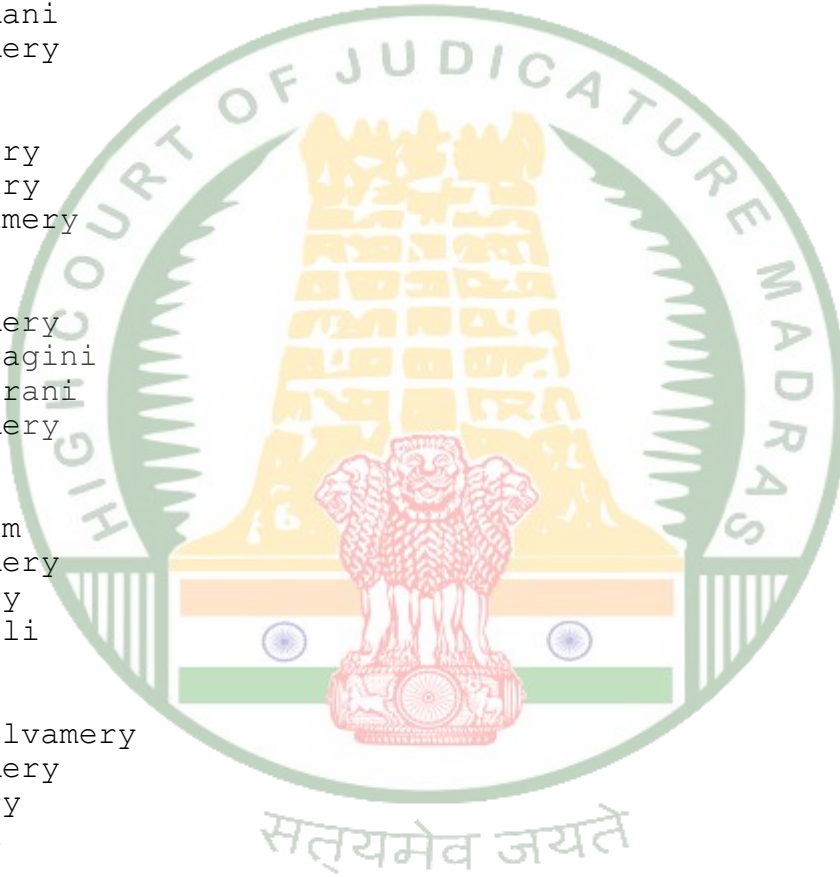
DATED : 01.04.2019

CORAM

THE HONOURABLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.26196 of 2014

- 1.A.Mariammal
- 2.Annamery
- 3.Esthar Rani
- 4.Josebinmery
- 5.Shanthi
- 6.Anitha
- 7.Salethmery
- 8.Reginamery
- 9.Uthiriyamery
- 10.Mery
- 11.Thresa
- 12.Paulinmery
- 13.Motcharagini
- 14.Annapoorani
- 15.Lurthumery
- 16.Arulaai
- 17.Selvi
- 18.Prakasam
- 19.Lourdumery
- 20.Johnmery
- 21.Annakkili
- 22.Mery
- 23.Mery
- 24.Selinselvamery
- 25.Lourdumery
- 26.Elenmery
- 27.Fathima
- 28.Rosma
- 29.Kalarani



... Petitioners

vs.

- 1.The Secretary to Government of Tamil Nadu,
Adhi Dravidar Welfare Department,
St. George Fort, Chennai - 600 009.
- 2.The District Collector,
Office of the District Collector,
Villupuram, Villupuram District.

3.The District Adhi Dravidar Welfare Officer,
Villupuram, Villupuram District.

4.The Special Tahsildar,
Land Acquisition & Adhi Dravidar Welfare,
Gingee, Villupuram District.

5.A.Soosai

6.R.Moorthy Arulappan

... Respondents

(R5 & R6 impleaded as per order dated 07.07.2017 by MDJ
in WMP.No.31795 of 2016 in WP.No.26196 of 2014)

Prayer: Writ Petition filed under Article 226 of the
Constitution of India, seeking for issuance of a Writ of
Mandamus to direct the respondents herein to take effective
steps to issue fresh Patta to the petitioners under the Central
Land Acquisition Act 1/1894 in survey numbers 31/10, 13, 15, 16
& 17 of Thamanur Village, Gingee Taluk, Villupuram District by
considering the representation of the petitioners dated
27.08.2014.

For Petitioners : Mr.V.R.Appaswamee

For Respondents : Mr.V.Shanmuga Sundar,
Special Government Pleader,
for R1 to R4

Mr.K.M.Ramesh for R5 & R6

O R D E R

This Writ Petition has been filed to direct the
respondents herein to take effective steps to issue fresh Patta
to the petitioners under the Central Land Acquisition Act
1/1894, in survey numbers 31/10, 13, 15, 16 & 17 of Thamanur
Village, Gingee Taluk, Villupuram District by considering the
representation of the petitioners dated 27.08.2014.

2. According to the petitioners, they made a
representation dated 27.08.2014, to all the respondents to grant
fresh patta to them and handover the possession to them.

3. In the paragraph no. 8 of the counter affidavit filed
by the fourth respondent it is stated as follows:

"Necessary steps have been taken and in this Office Proc. A/400/98 dated 09.04.1999 pattas to the houseless Adi Dravidars (Converted Christians) was issued to 37 beneficiaries in the Tamil Land Acquisition Act 31/78, and the same will hold good, in the Central Act 1/1894, and there is no need to issue fresh pattas. There is no merit in the writ petition and is liable to be dismissed."

4. Recording the aforesaid statement in the counter affidavit filed by the fourth respondent and in light of the same, the Writ Petition is disposed of. No costs. The petitioners shall workout their remedy before the authority concerned for taking possession of the property.

Sd/-
Assistant Registrar(CS-VI)

//True copy//

Sub Assistant Registrar

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To

- 1.The Secretary to Government of Tamil Nadu,
Adhi Dravidar Welfare Department,
St. George Fort, Chennai - 600 009.
- 2.The District Collector,
Office of the District Collector,
Villupuram, Villupuram District.
- 3.The District Adhi Dravidar Welfare Officer,
Villupuram, Villupuram District.
- 4.The Special Tahsildar,
Land Acquisition & Adhi Dravidar Welfare,
Gingee, Villupuram District.

+3cc to Mr.V.R.Appaswamee, Advocate SR.No.31408

+1cc to Mr.K.M.Ramesh, Advocate SR.No.31458

W.P.No.26196 of 2014

PM(CO)
GMY(03/05/2019)