



WEB COPY

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BEFORE THE MADURAI BENCH OF THE MADRAS HIGH COURT

DATE : 17.07.2019

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN
AND
THE HONOURABLE MR. JUSTICE B.PUGALENDHI

W.P. (MD) NO. 15900 OF 2019

P.Amavasai

.. Petitioner

- Vs -

1. The Government of Tamil Nadu
rep. by Addl. Chief Secretary
Adi Dravidar Welfare Department
Fort St. George, Chennai 600 009.
2. The District Collector
Dindigul District, Dindigul.
3. The Special Tahsildar
Adi Dravidar Welfare Department
Taluk Office, Palani Taluk
Dindigul District.
4. The Tahsildar
Palani Taluk, Dindigul District.
5. The Inspector of Police
Ayakudi Police Station
Palani Taluk, Dindigul District.
6. K.Vimala
7. M.Mariyammal
8. C.Kalaiselvi
9. S.Muthulakshmi
10. P.Sathiyaruby
11. K.Ganthi
12. J.Chinnaponnu
13. D.Manjula

.. Respondents



Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of mandamus directing respondents 1 to 5 to conduct proper enquiry for granting of free pattas to the Adi Dravidars in the District of Dindigul and cancel the pattas who have obtained the same by playing fraud with the district administration based on the resolution passed in the peace meeting held on 11.09.2015 and also the petitioner's representations dated 28.09.2018 and 03.06.2019.

For Petitioner : Mr. Ananth C.Rajesh

For Respondents : Mr. A.K.Baskarapandian, Spl. G.P.
For RR-1 to 4

ORDER

(Order of the Court was made by **M.Sathyarayanan, J.**)

The writ petition, styled as a public interest litigation, is filed by a resident of Kanakkanpatti, Palani Taluk, Dindigul District, alleging among other things that he belongs to Scheduled Caste Arundhadhiyar community and under the garb of granting pattas to the private respondents, the concerned authorities have failed to take note of the fact that the private respondents own agricultural lands and house and some of them do not belong to the said community also and, therefore, pleading for his case, purely in public interest, has come forward to file the present petition.

2. Heard the learned counsel appearing for the petitioner and also perused the materials available in the typed set of documents.

3. A perusal of the materials reveal that the petitioner had submitted two representations dated 28.9.18 and 3.6.19 to the 3rd and 2nd respondents respectively. In the first representation dated 28.9.18, the petitioner took a stand that some persons belonging to some other religion have been granted patta, whereas in the representation dated 3.6.19 submitted to the 2nd respondent, the representee, viz., Tmt.P.Rathi, took a stand that the place/space reserved for public purpose have been assigned and private respondents were granted patta. It is also to be noted at this juncture that the petitioner, in para-9 of the affidavit filed in support of this writ petition, took yet another stand that the private respondents are owning house and agricultural lands and as such they are not entitled to get any patta. It prima facie appears that the petitioner is not clear as to his case and in the light of the prevaricating stand taken in the above cited representations as well as in the affidavit filed in support of this writ petition, this Court is not inclined to order notice.

4. At this juncture, learned counsel appearing for the petitioner has pleaded that the petitioner, on his own behalf and on behalf of the aggrieved people of the locality, may be permitted to



submit a comprehensive representation with supporting documents as to his grievance with regard to the grant of patta to the private respondents with a further direction directing the concerned official respondents to consider and dispose of his representation in accordance with law within a stipulated time.

5. This Court, on the said submissions, heard the submission of Mr.A.K.Baskarapandian, learned Special Government Pleader, who accepts notice for respondents 1 to 4.

6. In the facts and circumstances of the case, this writ petition is dismissed. However, the petitioner is at liberty to submit a comprehensive representation with supporting documents to respondents 2 and 3 as to his grievance with regard to the grant of patta to the private respondents within a period of three weeks from the date of receipt of a copy of this order and upon receipt of the same, the 3rd respondent, after putting the private respondents on notice, shall consider and dispose of the said representation in accordance with law within a further period of eight weeks thereafter and communicate the decision taken to the petitioner as well as to the private respondents. It is also made clear that this Court has not expressed any opinion as to the merits of the case projected by the petitioner in this writ petitioner and the 3rd respondent, depending upon the quality of the materials placed before him, shall pass appropriate orders as directed by this Court in this writ petition.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Addl. Chief Secretary, Adi Dravidar Welfare Department
Government of Tamil Nadu Fort St. George, Chennai 600 009.
2. The District Collector, Dindigul District, Dindigul.
3. The Special Tahsildar, Adi Dravidar Welfare Department
Taluk Office, Palani Taluk, Dindigul District.
4. The Tahsildar, Palani Taluk, Dindigul District.
5. The Inspector of Police, Ayakudi Police Station
Palani Taluk, Dindigul District.

+1cc to M/S.ANANTH C.RAJESH, Advocate, SR.No.75643

+1cc to THE SPL.GOV.T.PLEADER SR.NO.76008

GLN

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