



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **08.11.2019**

CORAM:

THE HONOURABLE **MR.JUSTICE M.SUNDAR**

W.P. (MD)No.23559 of 2019

and

W.M.P. (MD)No.20180 of 2019

WEB COPY

Mukkulathore Kalvi Kuzhu,
represented by its President,
Thiruverumbur, Trichy-13.

... Petitioner

Vs.

1. The District Collector,
Trichy District, Trichy.
2. The District Revenue Officer,
Trichy District, Trichy.
3. The Tahsildar,
Thiruverumbur Taluk,
Trichy District.
4. Tamil Nadu Adi Dravidar Housing and
Development Limited (TAHDCO),
represented by its Managing Director,
No.31, Cenotaph Road,
2nd Lane, Teynampet,
Chennai-600 018.
5. The District Manager,
Tamil Nadu Adi Dravidar Housing and
Development Corporation Limited (TAHDCO),
Collectorate Road, Trichy-1.
6. The District Adi Dravidar and
Tribal Welfare Officer,
Trichy District,
Collectorate, Trichy.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus forbearing the respondents from entering into the petitioner's property bearing S.No.355/1 measuring 2.51 acres and S.No.355/3 measuring 11.68 acres of Koothaippar Village, Thiruverambur Taluk, Trichy District for putting up construction or any other purpose.

For Petitioner

:Mr.M.Saravanan

for Mr.R.Subramanian

For Respondents

: Mr.Aayiram K.Selvakumar

Additional Government Pleader



ORDER

Mr.M.Saravanan, learned Counsel on record for writ petitioner and Mr.Aayiram K.Selvakumar, learned Additional Government Pleader who accepts notice on behalf of all six respondents are before this Court.

2. With consent of the aforesaid learned Counsel ie., Counsel for writ petitioner and the State Counsel, main writ petition is taken up, heard out and is being disposed of.

3. Subject matter of instant writ petition is two parcels of lands comprised in S.F.Nos.355/1 and 355/3 admeasuring 2.51 acres and 11.68 acres respectively both in Koothaippar Village, Thiruverumbur Taluk, Trichy District (hereinafter 'said lands' for brevity). It is the case of the writ petitioner that said lands were assigned to the Secretary and Correspondent of a school which then went by the name 'Mukkulathor Higher Secondary School'. It is submitted that the School has developed over the years and there are two schools now which go by the names of 'Mukkulathor Higher Secondary School' and 'Mukkulothor Elementary School'. It is submitted that a Society registered under the Tamil Nadu Societies Registration Act,1975 with registration No.7/1947 is now running both the schools said to be situate in said lands and that this Society, which is running both the schools is the writ petitioner before this Court.

4. It is also submitted by learned Counsel for writ petitioner that without notice to the writ petitioner, State has now permitted another entity viz., 'Tamil Nadu Adi Dravidar Housing and Development Corporation Limited' (TAHDCO) to put up construction therein.

5. Be that as it may, what is of utmost relevance is writ petitioner has petitioned the first respondent jurisdictional District Collector on this aspect and the jurisdictional District Collector (first respondent herein) has issued an enquiry notice dated 23.10.2019 bearing reference Na.Ka.Aa4/73951 (fixing an enquiry on 12.11.2019 (Tuesday) at 05.00p.m.) to writ petitioner and TAHDCO.

6. Learned State Counsel submits that the enquiry by District Collector pursuant to aforementioned enquiry notice will be completed as expeditiously as possible.

7. In the light of the aforesaid scenario that unfurled in the hearing today, this Court deems it appropriate to dispose of this writ petition by directing first respondent District Collector to proceed with the enquiry pursuant to the aforesaid enquiry notice dated 23.10.2019 on merits of the matter, on the available records, in accordance with law and complete the same within a fortnight from



8. Adverting to certain photographs, it is submitted that some work has been commenced by State in said lands. This Court directs both parties viz., writ petitioner and respondents to maintain status quo as of today qua said lands till conclusion of enquiry by first respondent District Collector in the aforesaid manner within aforementioned time frame and communication of the outcome to the writ petitioner and TAHDCO, which shall be done within seven (7) working days from the date of decision in the enquiry in the aforesaid manner.

9. Writ Petition is disposed of with the above directions. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The District Collector,Trichy District, Trichy.

2.The District Revenue Officer,
Trichy District, Trichy.

3.The Tahsildar,Thiruverumbur Taluk,
Trichy District.

4.Tamil Nadu Adi Dravidar Housing and
Development Limited (TAHDCO),
represented by its Managing Director,
No.31, Cenotaph Road,
2nd Lane, Teynampet,Chennai-600 018.

5.The District Manager,
Tamil Nadu Adi Dravidar Housing and
Development Corporation Limited (TAHDCO),
Collectorate Road, Trichy-1.

6 The District Adi Dravidar and Tribal Welfare Officer,
Trichy District, Collectorate, Trichy

1 CC to M/s.R.SUBRAMANIAN, Advocate (SR-97092[F] dated 08/11/2019)
+1 CC to Spl.GP (SR-97286[F] dated 11/11/2019)
ssl/sma/29/11/19/3p/9c

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