

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.11.2020

C O R A M

The Hon'ble Mr. Justice SENTHILKUMAR RAMAMOORTHY

Writ Petition No.27086 of 2004

M/s.Southern Goldsmith Worker' Progressive Union,
Rep. By its present General Secretary,
Mr.K.Nandagopal, No.9, Andiappan Street,
Choolai, Chennai-600 112. ... Petitioner

(present General Secretary substituted in
the place of then Secretary (deceased)
as per order dated 24.11.2010 by
WPMPNo.752 of 2010)

vs.

1. The Secretary to Tamilnadu Government,
Revenue Department,
Fort St. George,
Chennai-600 009.
2. The District Collector,
Kancheepuram District,
Kancheepuram-3.
3. The Tahsildar,
Tambaram Taluk Office,
G.ST.Road,
Tambaram, Chennai-600 045.
4. The Superintendent of Police,
Kancheepuram,
Kancheepuram District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus directing the Respondents 1 to 3 to fix boundary stones and deliver the vacant possession of the property allotted to the Members numbering 200 belonging to the Petitioner's Southern Goldsmith Workers' Progressive Union in Survey Nos.56/2 and 56/6, measuring about 13.60 acres situated at Zamin Pallavaram Village, Tambaram Taluk, Kancheepuram District with the help of the 4th Respondent by removing existing super-structure.

For Petitioners : Mr.John James for
Mr.T.Arulraj
For Respondents : Mr.R.J.Radhika

O R D E R

I heard Mr.John James, the learned counsel for the Petitioner Union and Ms.Radhika, the learned Government Advocate for the Official Respondents.

2. This writ petition is filed for a Mandamus to deliver the possession of the property situated at Zamin Pallavaram Village which was allotted to the members of the Petitioner Union. In spite of the allotment of the said land to the members of the Petitioner Union, the possession of the land was not handed over to them on account of various encroachments and impediments. The writ petition was filed in the said facts and circumstances.

3. While the writ petition was pending, the Respondents came forward to offer alternative sites at Nandambakkam and Medavakkam but these sites could not be allotted for one reason or the other. Eventually, an alternative site was offered at Thondamanallur at Cheyyur Taluk, Kanchipuram District. Under written instructions from the District Revenue Officer, the Government Advocate submits that the allotment of the above mentioned alternative site at Thondamanallur admeasuring about 13.6 acres has been recommended for approval and that the file is pending before the District Collector. Therefore, she submits under instructions that the allotment would be made expeditiously.

4. Upon consideration of the submissions of the learned counsel for the Petitioner and the Respondents, I am of the view that this writ petition may be disposed of by directing the Respondents herein to allot the land at Thondamanallur, Cheyyur Taluk, Kanchipuram District to the members of the Petitioner Union on an encumbrance free basis within a period of three months from the date of receipt of a copy of this order.

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5. Accordingly, this writ petition is disposed of on the above terms. No costs.

sd/

ASSISTANT REGISTRAR

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

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To

1. The Secretary to Tamilnadu Government,
Revenue Department,
Fort St. George,
Chennai-600 009.
2. The District Collector,
Kancheepuram District,
Kancheepuram-3.
3. The Tahsildar,
Tambaram Taluk Office,
G.ST.Road,
Tambaram, Chennai-600 045.
4. The Superintendent of Police,
Kancheepuram,
Kancheepuram District.

+1 CC to Mr.T.Arulraj Advocate SR NO.38159

+1 CC to Govt Pleader, High Court, Madras SR NO.38419

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MK:19/12/2020

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