

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.507 of 2019

Dalit Sakthivel

.. Petitioner

Vs

- 1 The District Collector
Cuddalore District, Cuddalore.
- 2 Government of Tamil Nadu
Rep by its Secretary
Revenue Department
Fort St.George, Chennai-9.
- 3 The District Adi Dravidar and
Tribal Welfare Officer
Cuddalore District
Cuddalore.
- 4 The Commissioner
Adi Dravidar and Tribal welfare office
Chepauk, Chennai-5.
- 5 The Special Tashildar
Adi Dravidar and Tribal Welfare
Cuddalore.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing respondents 1 to 5 herein, more particularly respondents 1, 3 and 5, to cancel all the house site pattas issued to ineligible persons and to remove the huts illegally put up on the land in question namely an extent of 4.15 acres of land comprised in R.S.No.654/2, 3, 5 to 12 in Kadambuliur Panchayat, Panruti Taluk, Cuddalore District and to issue free house site to the eligible landless poor people of the Scheduled Caste and Scheduled tribe community of the Kadambuliur Village, Panruti Taluk, Cuddalore District on identification of the individuals after conducting enquiry into the matter.

For Petitioner : Mr.S.Sadasharam

For Respondents : Mr.K.S.Suresh
Government Advocate

ORDER

(Order of the Court was made by
SENTHILKUMAR RAMAMOORTHY, J.)

This writ petitioner seeks a direction to the respondents to cancel all the house site pattas issued to ineligible persons and to remove the huts illegally put up on the land in question namely an extent of 4.15 acres of land comprised in R.S.No.654/2, 3, 5 to 12 in Kadambuliur Panchayat, Panruti Taluk, Cuddalore District and to issue free house site to the eligible landless poor people of the Scheduled Caste and Scheduled Tribe community of the Kadambuliur Village, Panruti Taluk, Cuddalore District on identification of the individuals after conducting enquiry into the matter. The petitioner states that representations were given in this regard on 17.12.2018 and 19.12.2018, but no action has been taken thereon.

2. In several cases of this nature, this Court observed that it is not inclined to exercise discretionary jurisdiction in public interest litigation unless the matter involves significant public interest.

3. Accordingly, without examining the merits of the representations dated 17.12.2018 and 19.12.2018, the official respondents concerned are directed to dispose of the same by a speaking order within a period of six weeks from the date of receipt of a copy of this order, after providing a reasonable opportunity to the affected parties. In the event the petitioner is aggrieved by such decision, it is open to the petitioner to pursue his remedies in accordance with law, otherwise than by a public interest litigation, after establishing his locus standi in that regard.

4. W.P.No.507 of 2019 is disposed of on the above terms. There will be no order as to costs. Consequently, W.M.P.No.518 of 2019 is closed.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

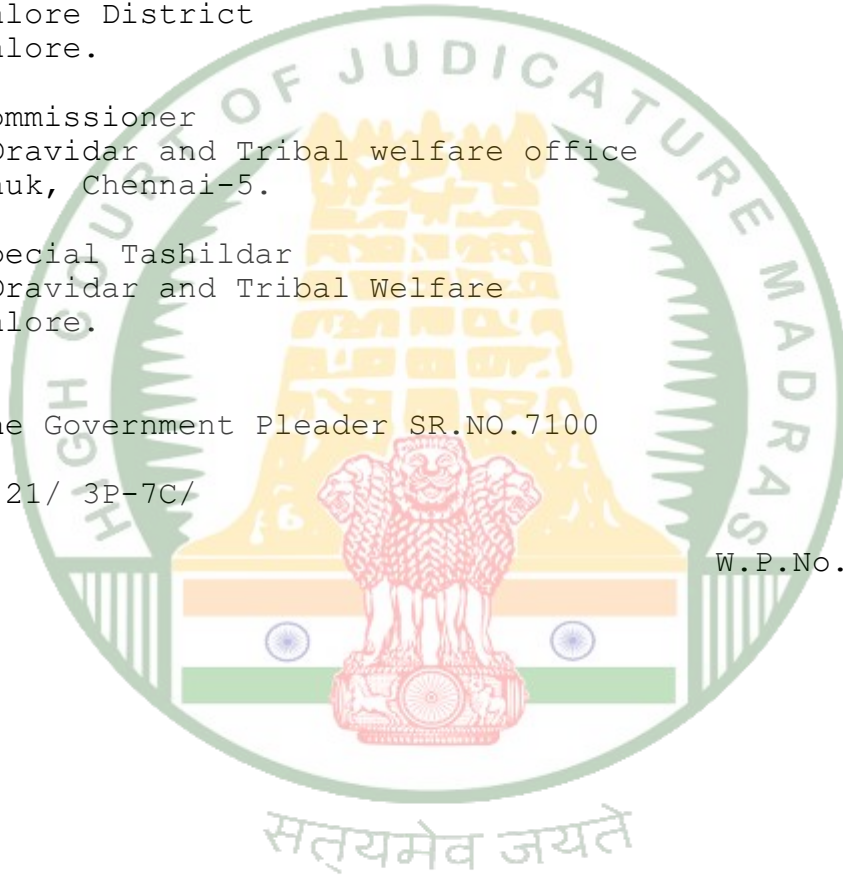
To:

- 1 The District Collector
Cuddalore District, Cuddalore.
- 2 The Secretary,
Government of Tamil Nadu
Revenue Department
Fort St.George, Chennai-9.
- 3 The District Adi Dravidar and
Tribal Welfare Officer
Cuddalore District
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- 4 The Commissioner
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Chepauk, Chennai-5.
- 5 The Special Tashildar
Adi Dravidar and Tribal Welfare
Cuddalore.

+1cc to The Government Pleader SR.NO.7100

AKM/23.02.21/ 3P-7C/

W.P.No.507 of 2019
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