

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.6022 of 2021

G.Sekar

.. Petitioner

-vs-

1.The State of Tamil Nadu,
rep. by the Secretary to State
Revenue Department,
Fort St. George,
Chennai - 600 009.

2.The District Collector,
Chennai District.

3.The Thasildhar,
Thiruvottiyur Taluk.

4.Shree Agarsen Steel Industries Pvt. Ltd.,
rep. by Managing Director,
Sadayankuppam Road,
Sadayankuppam,
Tiruvottiyur Taluk,
Chennai - 600 019.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents to allot Housing plot to the homeless people in the Thiruvottiyur Taluk from the lands available in S.No.29/1, 3 and 4 and exclusively to the homeless people belonging to the Scheduled Caste and Scheduled Tribes from the lands available in S.No.29/2 Sadayankuppam Village, Thiruvottiyur Taluk, Thiruvallur District.

For Petitioner

: Mr.P.B.Suresh Babu

For Respondents

: Mr.G.K.Muthukumar
Spl. Government Pleader
for respondent Nos.1 to 3

ORDER

(Order of the Court was made by Senthilkumar Ramamoorthy, J.)

The petitioner seeks a writ of mandamus to direct the official respondents to allot housing plots to the homeless people in Thiruvottiyur Taluk from the lands available in S.Nos.29/1, 3 and 4 and exclusively to the homeless people belonging to the Scheduled Castes and Schedule Tribes from the lands available in S.No.29/2.

2. Learned counsel for the petitioner asserts that these lands were originally classified as "Meikkal Poramboke" and that they were subsequently, re-classified on 1.12.1995 as "Grama Natham". In addition, it is asserted that S.No.29/2 is classified in the revenue records as "Cheri Natham". On this basis, it is contended on behalf of the petitioner that these lands should be allotted to the homeless people belonging to the Scheduled Castes and Schedule Tribes.

3. Mr.G.K.Muthukumar, learned Special Government Pleader, accepts notice on behalf of respondents 1 to 3. On instructions, he submits that these lands are classified as Grama Natham and that the allotment to specific individuals would be considered provided they are residing there.

4. The writ petitioner purports to canvass the cause of persons residing in Tiruvottiyur Taluk. On the basis of this petition, this Court is not inclined to issue a mandamus to direct the official respondents to allot housing plots, inasmuch as it is for the executive authorities to decide on the entitlement of applicants based on the prescribed norms in that regard.

5. As such, the writ petition, W.P.No.6022 of 2021 is disposed of by leaving it open to the affected persons, who reside in the area concerned, to submit a representation to the third respondent herein. If such representation is submitted, the official respondents are directed to consider the same in accordance with the prescribed norms and dispose of the same by a speaking order within a reasonable time. There will be no order as to costs.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

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To:

1.The Secretary,
State of Tamil Nadu,
Revenue Department,
Fort St. George,
Chennai - 600 009.

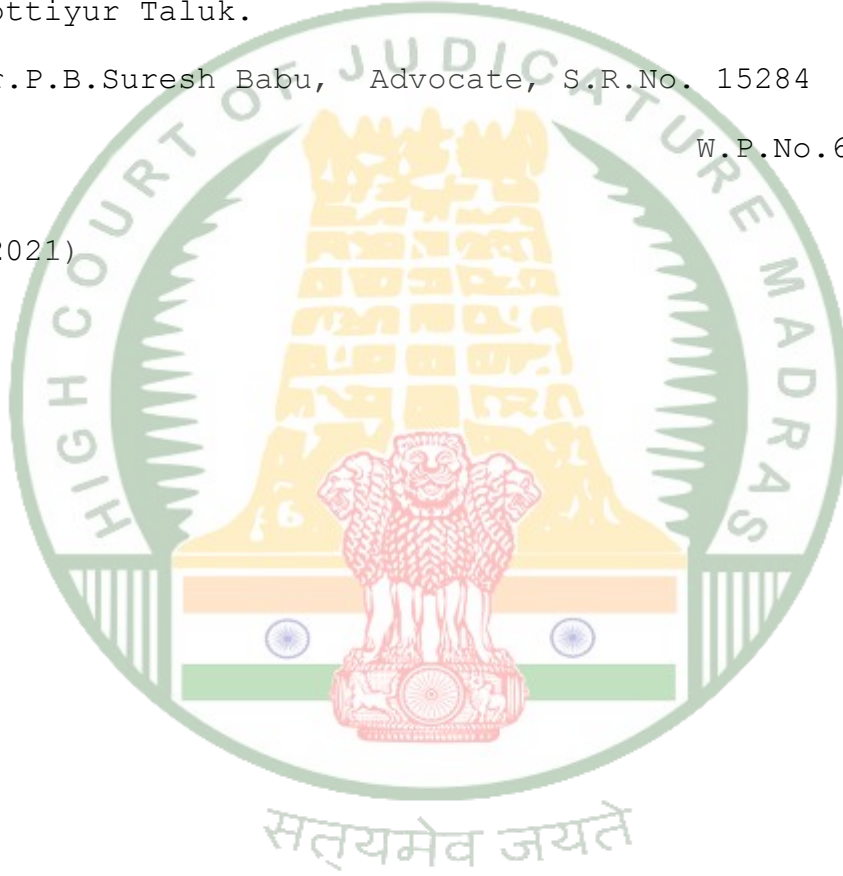
2.The District Collector,
Chennai District.

3.The Thasildhar,
Thiruvottiyur Taluk.

+1cc to Mr.P.B.Suresh Babu, Advocate, S.R.No. 15284

W.P.No.6022 of 2021

GMI (CO)
GN(17/03/2021)



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