



IN THE HIGH COURT OF JUDICATURE AT MADRAS

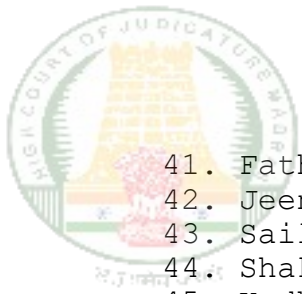
DATED: 20.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.No.7426 of 2019

1. Jainab Thahira
2. A.Fathima Bee
3. S.Saleem Begam
4. A.Basariya
5. M.Mubeen Begum
6. K.Haithun Jannath
7. Rokaiya Bani
8. F.Yasmin
9. Ummul Hasanath
10. Mumtaj Begum
11. M.Pathima
12. F.Safiya
13. Mahamutha
14. Sabeena
15. A.Rubina
16. Jannathul Firduas
17. Akilla Banu
18. Reihana Parveen
19. M.Rabiyathul Basariya
20. M.Meharaj
21. Siddik
22. K.Yasmin
23. Gowkarthaj Basha
24. S.Hajira Banu
25. K.Hathun Jannath
26. J.Mohamadha Bevi
27. K.A.Balkis Begum
28. S.Zareena Shafi
29. S.Shameem Banu
30. Jannath Firthose
31. Shapna
32. S.Jaganacin
33. S.Shamshath Banu
34. Shameem Banu
35. S.Shajitha Sulaika
36. Mubeena Farveen
37. T.A.Shameem Fathima
38. Aysha Jashima
39. Jamila Fathima
40. K.F.Sarammal



41. Fathima
42. Jeenath Sharfudeen
43. Saila Riyasbabu
44. Shakilabanu Saleem
45. Kadrbeebebi Shahidushen
46. Saidhunisha Sabiulla
47. Katharbee
48. Safiya
49. Kaiyaroonisha

.. Petitioners

Vs.

1. The District Collector,
Salem District,
Salem.
2. The Special Tahsildar (LA),
District Backward Classes and
Minorities Welfare Office,
Salem.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the respondents 1 and 2 to handover the possession, after measuring and earmarking of the land allotted to the petitioners in free House site patta in Na.Ka.No.3305/2014/BC 2, dated 23.09.2014, by the second respondent in respect of land situated in Survey No.383/2B measuring to an extent of 0.0.2 acres to each petitioners in Erumapalayam Village, Salem Taluk and District within a reasonable time as fixed by this Court.

For Petitioners : Mr.D.Babu

For Respondents : Mr.K.M.D.Muhilan,
Government Advocate

- - - - -

O R D E R

(The case has been heard through video conference)

The writ petition has been filed seeking a direction to the respondents to issue house site patta to all the petitioners.

2. According to the petitioners, they are poor landless labourers and earlier they approached the respondents to grant house site patta and the second respondent by order dated 23.09.2014, allotted two cents of land to each petitioner and thereafter the land was not earmarked and possession was not handed over to them. In the said circumstances, they made a



3. Notice was ordered to the respondents and when the matter was taken up for hearing, Mr.K.M.D.Muhilan, learned Government Advocate appearing for the respondents filed a counter affidavit stating that the land in S.No.389/2B of Erumapalayam Village, Salem Taluk is a Government land classified as "Karadu Poromboke" and not a fit place for grant of house site and it is a hillock having reserves of blue metal minerals and therefore this survey number was entered in the 'Prohibitive Order Book' in revenue records and the object of this entry is that nothing should be carried out to disturb its physical features of the land.

5. Mr.D.Babu, learned counsel appearing for the petitioners submitted that the petitioners are poor illiterate labourers and earlier they approached a lady known as Ms.Ummaya Banu for liaison with the Government and also paid money to her. But that lady said to have cheated the petitioners, now the petitioners came to know that the said lady has committed suicide.

7. I have considered the rival submissions and also perused the records carefully.

<https://hcservices.ecourts.gov.in/hcservices/>



the petitioners are poor landless persons, it is open for them to approach the respondents seeking for house site patta, if they are otherwise eligible under any of the Government Schemes. No costs.

WEB COPY

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

kk

To

1. The District Collector,
Salem District,
Salem.
2. The Special Tahsildar (LA),
District Backward Classes and
Minorities Welfare Office,
Salem.

+50ccs to Mr.D.Babu, Advocate, S.R.No.34858

W.P.No.7426 of 2019

GPL(CO)
CB(18/08/2021)