



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2021

CORAM: JUSTICE N.SESHASAYEE

WP.No.17556 of 2020

Mr.G.Damodharan

...Petitioner

-Vs-

1.The Special Commissioner and
Commissioner for Land Administration
Ezhilagam,
Chepauk, Chennai-05.

2.The District Collector,
Chennai-District,
Chennai-01.

3.The District Collector,
Thiruvallur District,
Thiruvallur

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents herein to take immediate steps to allot a alternative accommodation to petitioner association in SNos.286 n situated at Moorai Village, Avadi Taluk Rhiruvallur District, being a Government Poramboke land instead of S No.3311, Mullai Village, Ambattur Taluk, Thiruvallur District which appear to be a burial ground.

For Petitioner : Mr.B.N,Chandrasekar

For Respondents : Mr.M.Manigopi
Government Advocate



ORDER

This Writ Petition has been filed by the petitioner, seeking for the issuance of a Writ of Mandamus, to direct the respondents to allot an alternative accommodation to the petitioner association.

2. The petitioner claims that it is an association formed for the benefit of Scheduled Caste and Scheduled Tribe people. The members of the petitioner association are the inhabitants of Annai Indira Nagar, Shenoy Nagar and other places and the petitioner association made representations seeking alternate accommodation to its members in S.No.286 of Moorai village, Avadi taluk, Thiruvallur District instead of S.No.3311 of Mullai village, Ambattur taluk, Thiruvallur District which appears to be a burial ground. Since no action is forthcoming, the petitioner association is before this Court.

3. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents.

4. It is quite amusing to note that the intended beneficiaries of the assignment of the land, should seek assignment of specific land. This curtails the option of the authorities concerned to contemplate on alternative site if the place which the beneficiaries seek could not be assigned.

5. This Court therefore, directs the District Collector, the 3rd respondent herein to consider and provide any suitable alternative accommodation for the members of the petitioner's association, as per the Revenue Standing Orders or such other Government Orders that enables assignment of land for Scheduled Caste and Scheduled Tribes and after biometric identification is done.

6. The Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

dn



To

1.The Special Commissioner and
Commissioner for Land Administration
Ezhilagam,
Chepauk, Chennai-05.

2.The District Collector,
Chennai-District,
Chennai-01.

3.The District Collector,
Thiruvallur District,
Thiruvallur

+1cc to the Government Pleader, S.R.No.11012

W.P.No.17556 of 2020

PMK (CO)
RN (23/03/2021)