



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2021

CORAM

THE HON'BLE Mr. JUSTICE C.V.KARTHIKEYAN

W.P.No. 32805 of 2019

G.Sundaram

..Petitioner

Vs

1.The District Collector,
Salem District,
Salem.

2.The Thasildar,
Collectorate,
Salem.

3.The Thasildar,
Collectorate,
Hasthampatti,
Salem.

4.The Commissioner,
Commissioner of Law of Administration,
Chepauk,
Chennai.

..Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India for writ of Mandamus, Directing the respondent to consider the petitioner's representation 23.10.2019.

For Petitioner : Mr.J.Sudhakaran

For Respondent No.1 to 3 : Mr.K.M.D.Muhilan, GA

O R D E R

Writ petition has been filed in the nature of mandamus, seeking consideration of the petitioner's representation dated 23.10.2019 by the 3rd respondent/Tahsildar, Hasthampatti Taluk, Salem District. This is the 2nd time, the petitioner has approached the Court of law. Earlier, the petitioner herein filed W.P.No. 5265/2015 which came up for consideration before a learned Single Judge of this Court on 27.02.2015. By order of even date, the learned Single Judge had directed the 2nd



respondent therein namely, the District Collector, Salem District to consider the representation which the petitioner had given by calling for necessary reports from the RDO and also Tahsildar and pass orders. The petitioner's representation was for grant of patta to the people belonging to Adi Dravidar Community, who are living small huts in Mallur Post, Salem District.

2. It is the claim of the petitioner that the said people were residing in the huts for more than five decades and they had given representation in this regard to the 2nd respondent. Since no effective steps have been taken, the petitioner was forced to file Contempt Petition No.1111/2019, which came up for consideration on 01.03.2019 and during hearing of that Contempt Petition, the respondent produced the proceedings of the District Collector dated 27.02.2019 and therefore, the contempt petition was closed. In the proceedings dated 27.07.2019 in Na.Ka.No. 1312/2019/K4, the District Collector had stated that the land in Survey No. 22/7 measuring around 0.89.5 Hectres were available and same can be allotted to the eligible individuals.

3. Subsequently, it is also stated that the petitioner was called for an enquiry on 21.02.2020 by the Tahsildar, Hasthampatti, Salem District. The learned Counsel for the petitioner however states that though the petitioner attended the said enquiry, no orders have been passed. In this connection, the petitioner had again given a representation on 23.10.2019. Subsequent to the said representation, an enquiry as aforesaid had been conducted on 21.02.2020.

4. A direction is therefore issued to the Tahsildar, Hasthampatti, Salem District/3rd respondent to pass orders on the representation based on the enquiry conducted on 21.02.2020. The Tahsildar may examine the petitioner, examine the land in Survey No.22/7 measuring 0.89.5 Hectares and thereafter also determine the eligible persons for whom the said lands can be given and the manner in which the lands are to be apportioned/divided/allotted, at any rate, pass necessary orders within a period of twelve weeks from the date of receipt of a copy of this Order.

5. With the above observation, the writ petition is disposed of. No costs.

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar



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To

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Salem.

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PCH (CO)
SP (17/09/2021)