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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 06.10.2021
CORAM
THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.18055 of 2021
and
WMP(MD).No.14914 of 2021

V.Raman ... Petitioner

Vs.

1.The State rep by its Director,
Department of Adi-Dravidar and Tribal Welfare,
Chepauk, Chennai-05.

2.The General Manager,
Tamil Nadu Adi Dravidar Housing and
Development Corporation Limited,
No.31, Chennatap Road, 2nd street,
Teynampet, Chennai.

3.The District Collector,
O/o. The District Collector,
Ramanthapuram District.

4.The District Welfare Officer,
O/o. The District Welfare Officer,
District Adi-Dravidar and Tribal Welfare,
Ramanathapuram District,
Ramanathapuram.

5.The Special Tahsildar,
O/o. the Special Tahsildar,
Department of Adi-Dravidar,
Mudhukulathur,
Ramanathapuram District. ... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to allot the community hall constructing the land in Survey No.61/1B4 for the people of petitioner's communnity namely Schedule Caste Arunthathiyar Community (SC-A) by considering the petitioner's representation dated 26.08.2021 within the time stipulated by this Court.

For Petitioner : Mr.T.Thirumurugan
For Respondents : Mr.P.Subbaraj
Counsel for the State

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O R D E R

The petitioner seeks a direction to the respondents to allot the community hall which is under construction at Survey No.64/1B4 to people belonging to the Arunthathiyar community.

2. The petitioner states that lands were allotted to persons belonging to Arunthathiyar community for construction of houses. The people of the said community are therefore in occupation of the said lands for a considerable period of time. However, the petitioner states that there is no community hall for the people of the said community. Therefore, the petitioner and others belonging to the said community had raised the issue with the fifth respondent. The fifth respondent by proceedings dated 06.09.2016 recommended that a community hall may be constructed for the benefit of the people of the said community. Thereafter, it is stated that the District Collector also recommended that a community hall be constructed for use by people belonging to the Arunthathiyar community.

3. Pursuant to the above mentioned recommendations, it is stated that such community hall is under construction. However, the petitioner states that persons belonging to the Deivendrakula Velalar community are endeavouring to take over the community hall, which was meant for the Arunthathiyar community. The representation dated 26.08.2021 was submitted in the aforesaid facts and circumstances.

4. Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of all the respondents. He submits that the petitioner's representation may be directed to be considered and disposed of on merits and in accordance with law.

5. The decision as to whether a community hall should be constructed and, if so, whether such community hall should be reserved exclusively for use by a particular community is a decision to be taken by the respondents herein. At the same time, it appears from the communications dated 06.09.2016 and 14.05.2018 that the proposal for the construction of the community hall was originally intended for the benefit of people belonging to the Arunthathiyar community. Therefore, this aspect may be borne in mind while a decision is taken on the petitioner's representation.

6. Subject to the above observations but without entering any findings on the merits of the matter, the third respondent is directed to consider the petitioner's representation dated 26.08.2021 and dispose of the same by a reasoned order within a period of three months from the date of receipt of a copy of this order after providing a reasonable opportunity to persons representing the Arunthathiyar and Deivendrakula Velalar community.

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7. W.P(MD).No.18055 of 2021 is disposed of on these terms without any order as to costs. Consequently, connected WMP(MD). No.14914 of 2021 is closed.

Sd/-

Assistant Registrar (CS-II)

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/ /2021

Sub Assistant Registrar(CS)

Pkn

To

1.The Director,
Department of Adi-Dravidar and Tribal Welfare,
Chepauk, Chennai-05.

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Ramanathapuram.

5.The Special Tahsildar,
O/o. the Special Tahsildar,
Department of Adi-Dravidar,
Mudhukulathur,
Ramanathapuram District.

+1 CC to M/s.T.THIRUMURUGAN, Advocate (SR-31567[F] dated 07/10/2021)

+1 CC to M/s.SPL.GP (SR-31507[F] dated 07/10/2021)

W.P.(MD)No.18055 of 2021
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