



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.10.2021

CORAM

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.18165 of 2021

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P.Selvakumar

... Petitioner

Vs.

1. The District Collector,
Office of the District Collector,
Dindigul District.
2. The District Revenue Officer,
Office of the District Revenue Officer,
Dindigul District.
3. The Revenue Divisional Officer,
Revenue Divisional Office,
Palani, Dindigul.
4. The Tahsildar,
Oddanchataram Taluk,
Dindigul District.
5. The Revenue Inspector,
Kallimandayam Post,
Oddanchataram Taluk,
Dindigul District.

... Respondents

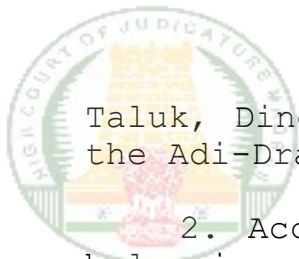
Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to take action to implement the order of the respondent No.3 in Na.Ka.No.5127/2020/A6 dated 28.09.2020, for demarcation and allot the land in Survey No.529/1 and Survey No.529/6 in Kallimandayam Post, Oddanchataram Taluk, Dindigul District, to the rightful beneficiaries belonging to the Adi Dravidar Community, in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani

For Respondents : Mr.P.Subbaraj
Counsel for the State

O R D E R

The petitioner seeks the demarcation and allotment of land in Survey Nos.529/1 and 529/6 in Kallimandayam Post, Oddanchataram



Taluk, Dindigul District to the rightful beneficiaries belonging to the Adi-Dravidar community.

2. According to the petitioner, there are about 500 families belonging to the Adi-Dravidar community who live in the Theppampatti Village. In the year 2012, such persons submitted petitions to the Revenue Department for the allotment of land. Based on such petitions, it is stated that an order was issued on 25.02.2012. By such order, the relevant properties were earmarked for the purpose of providing house sites to such people. Subsequently, because no action was taken, the petitioner and the other beneficiaries approached the Revenue Divisional Officer, Palani. The Revenue Divisional Officer issued an order dated 28.09.2020 by which he directed the Tahsildar to take necessary action for the grant of patta and for making mutations in the revenue records. By such order, it is also stated that the classification of the land was modified to "Natham Poramboke". The present writ petition is filed to enforce the said order.

3. Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of all the respondents. He submits that the earlier representation does not seek allotment to the rightful beneficiaries. Therefore, he submits that the petitioner may be directed to submit a fresh representation for consideration by the Tahsildar.

4. The petitioner has enclosed a copy of the communication dated 25.10.2018 from the Revenue Inspector. The said communication deals with the grant of house sites pattas to fifteen persons. The communication dated 28.09.2020 from the Revenue Divisional Officer is also enclosed. Such communication records that the classification of the land is ordered to be modified to Natham Poramboke. It further directs the Tahsildar, Oddanchataram to initiate action to provide the free house site patta and make the requisite changes in the Village Accounts. It does not appear that appropriate action was taken pursuant to the order dated 28.09.2020. Therefore, the petitioner has made out a case for the consideration of a representation for the above purpose and for the disposal of the same within a defined time limit. However, the Tahsildar should examine as to whether the eighty one persons listed by the petitioner are persons selected as beneficiaries for purposes of issuing the house site patta.

5. Subject to the above observations but without entering any findings on the merits, the petitioner is directed to submit a fresh representation to the fourth respondent. Such representation shall be submitted within a period of two weeks from the date of receipt of a copy of this order. Upon receipt thereof, the fourth respondent is directed to consider such representation by taking into account the communication dated 28.09.2020 and dispose of the same by taking



necessary action on such basis within a period of three months from the date of receipt of such representation.

6. W.P(MD).No.18165 of 2021 is disposed of on these terms without any order as to costs.

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Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

1. The District Collector,
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Dindigul District.
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Palani, Dindigul.
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Oddanchataram Taluk,
Dindigul District.
5. The Revenue Inspector,
Kallimandayam Post,
Oddanchataram Taluk,
Dindigul District.

+1 CC to M/s.SPL.GP (SR-31737[F] dated 08/10/2021)

W.P. (MD)No.18165 of 2021

07.10.2021

=RD(22.10.2021) 3P 7C