



BEFORE THE MADURAI BENCH OF MADRAS HIGH Court

DATED: 17.04.2021

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CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD)No.17792 of 2014

(Through Video Conferencing)

KR.Chidambaram

... Petitioner

Vs.

- 1.The District Collector
Sivagangai
Sivagangai District
- 2.The District Welfare Officer (Adi Dravidar)
District Welfare Office for Adi Dravidar and Schedule Tribes
Sivagangai.
- 3.The Special Tahsildar,
Adi Dravidar Welfare,
Adi Dravidar Welfare Officer,
Devakottai
Sivagangai District.
- 4.The Special Tahsildar,
Adi Dravidar Welfare,
Adi Dravidar Welfare Office,
Karaikudi, Sivagangai District
- 5.The Panchayat President,
Kallal, Karaikudi Taluk
Sivagangai District.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the 3rd respondent to proceed with the enquiry as contemplated in his proceedings dated 26.09.2012 and also direct the 3rd respondent to allot the lands to the beneficiaries of SC/ST people residing in the Kallal Village within the time frame fixed by this Court, after cancelling the patta illegally granted in respect of lands in S.No.240/7A measuring 0.57.5 hectares punja lands situated at Karaikudi Taluk, Sivagangai District.



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For Petitioner
For Respondent

: Mr.AL.Kannan
: Mr.M.Rajarajan for R1 to R4
Additional Government Pleader

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the third respondent to proceed further with the enquiry as contemplated through his proceedings dated 28.11.2013 and cancel the patta that has been fraudulently given in favour of persons not belonging to Scheduled Caste/Scheduled Tribe community and consequently allot the lands in favour of persons, who fulfils the requirements.

2. The case of the petitioner is that he is an Ex-service man, who belongs to the Adi Dravidar community. According to the petitioner, the lands in S.No.240/7A was acquired under the Adi Dravidar Welfare Scheme 1978. The lands were subdivided into 26 plots and was allotted by the third respondent to the beneficiaries in the year 2010.

3. The grievance of the petitioner is that the allotment was made in favour of persons, who did not belong to the SC/ST community. The petitioner, therefore, gave a representation in this regard and the petitioner was informed by the third respondent through proceedings dated 26.09.2012 and 28.11.2013 that steps are being taken to cancel the allotment. Since the same was not followed up by the third respondent, the present writ petition has been filed before this Court for appropriate directions.

4. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents.

5. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the third respondent to proceed with the enquiry pursuant to the proceedings dated 28.11.2013 and pass orders, after affording an opportunity to all the interested parties, within twelve weeks from the date of receipt of a copy of this order.

6. The petitioner is directed to make a fresh representation to the third respondent enclosing all the relevant documents along with a copy of this order.



7. The writ petition is disposed of with the above directions.
No costs.

Sd/-

Assistant Registrar (P&A)

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/ /2021

Sub Assistant Registrar(CS)

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The District Collector
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Sivagangai District
- 2.The District Welfare Officer (Adi Dravidar)
District Welfare Office for Adi Dravidar and Schedule Tribes
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- 3.The Special Tahsildar,
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Adi Dravidar Welfare Officer,
Devakottai
Sivagangai District.
- 4.The Special Tahsildar,
Adi Dravidar Welfare,
Adi Dravidar Welfare Office,
Karaikudi, Sivagangai District

+1 CC to M/s.SPL GP (SR-16527[F] dated 19/04/2021)

W.P. (MD)No.17792 of 2014

17.04.2021

AS (08.06.2021) 3P 5C