



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.03.2022

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

WP.No.12048 of 2008

N.Radha

...Petitioner

Vs

1. The Special Tahsildar,
Adi Dravida Welfare,
Krishnagiri.
2. The District Collector,
Krishnagiri.
3. The Secretary to Government,
Adi Dravidar Tribal Welfare Department,
Secretariat, Chennai-9.

...Respondents

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct respondents 1 and 2 to cancel the House Pattas issued to 33 undeserved effluent illegal persons under clause 11 of the Pattas issued to them under the Harijan Welfare Act as no houses have since been built even three years after issuance of those Pattas and in consequence to direct the 3rd Respondent to order Re conveyance of the agricultural dry lad of the Petitioner measuring 0.74.5 Hectare in S.No. 78/1-C at Singiripalli Meenanthotti Village Krishnagiri Dt.

For Petitioner : Mr. D.Rajagopal

For Respondents : Mr. R.P.Murugan Raja
Government Advocate

ORDER

This writ petition is filed seeking direction to the respondents 1 and 2 to cancel the House Pattas issued to 33 undeserved effluent illegal persons, under clause 11 of the Pattas issued to them under the Harijan Welfare Act as no houses have since been built even three years after issuance of those Pattas and in consequence to direct the 3rd Respondent to



order Re conveyance of the agricultural dry land of the Petitioner measuring 0.74.5 Hectare in S.No. 78/1-C at Singiripalli , Meenanthotti Village Krishnagiri Dt.

2. The case of the petitioner is that she is the owner of land in S.No. 78/1-C at Singiripalli , Meenanthotti Village Krishnagiri District to an extent of 0.74.5 Hectare and the said land was acquired by the Government under the Harijan Welfare Act for providing free houses to the landless poor peoples. Challenging the said acquisition proceedings, earlier the petitioner filed a writ petition before this Court in W.P.No.10498/1998 and this Court, vide its order dated 27.02.1998. For the very same prayer, the petitioner filed another writ petition before this Court in W.P.no.26617 of 2003 and the same was dismissed on 24.09.2003. Again, the petitioner filed a writ petition in W.P.No.4187/2006 and the same was dismissed on 02.11.2003. Thereafter, the petitioner filed another writ petition in W.P.no.30424 of 2007 and this Court vide its order dated 13.09.2007 disposed of the writ petition with a direction to the respondents to consider the petitioner's representation dated 15.11.2006. Even thereafter, the respondents have not taken any action in respect of the representation of the petitioner. Hence, the petitioner filed a present writ petition before this Court with the afore said prayer.

3. The learned counsel for the petitioner submitted that she made a representation to the respondents to cancel the patta which was already issued to the beneficiary and the beneficiary has not resided in the said land. Some of the beneficiary are not scheduled case community and most of the persons are having the house sites and land in the locality. Hence, the learned counsel prays that this Court may issue a directions to the first respondent to conduct enquiry and if any, ineligible person obtained patta that may be cancelled.

4. The learned government Advocate appearing on behalf of the respondents submitted that enquiry will be conducted and necessary action will be taken in accordance with law.

5. Heard, the learned counsel for the petitioner as well as the learned Government Advocate appearing for the respondents, and perused the materials available on record.

6. Considering the facts and circumstances of the case, this Court directs the respondents to consider the representation of the petitioner dated 15.11.2006 and to conduct enquiry and pass orders after giving opportunity to the necessary parties, on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. It is



needless to say that if any ineligible person found in the enquiry, the patta granted in their favour shall be revoked. In respect of the portion of prayer for conveyance, cannot be granted since no provision is available in the Harijan Welfare Act.

7. With the above directions, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

Rli

To

1. The Special Tahsildar,
Adi Dravida Welfare,
Krishnagiri.
2. The District Collector,
Krishnagiri.
3. The Secretary to Government,
Adi Dravidar Tribal Welfare Department,
Secretariat, Chennai-9.

+1cc to Mr.D.Rajagopal, Advocate, S.R.No.19266

+1cc to the Government Pleader, S.R.No.19496

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VG-II(CO)
RGA(06/04/2022)