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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.13267 & 14464 of 2010
and
W.M.P.No.3 of 2010

Kanagavalli ...Petitioner in W.P.No.13267 of 2010

1. M.Anjalai
2. V.Sakunthala
3. Kantha
4. K.Indira
5. E.Anandayee
6. S.Alamelu
7. Anbazhagan
8. Dhanakoti
9. Kamalam
10. Shanmugam

...Petitioners in W.P.No.14464 of 2010

Vs.

1. The District Collector,
Villupuram District,
Villupuram.
2. The District Revenue Officer,
Villupuram District,
Villupuram.
3. The Special Thasildhar,
Adi-dravidar Welfare,
Ulundurpet.

...Respondents in both W.P's

Petitions filed under Article 226 of the Constitution of India to issue a Writ of Certiorari Mandamus calling for the records of the 2nd respondent in his proceedings in Na.Ka.No.M5/50368/08 dated 24.11.2009 and quash the same and thereby forebear the respondents from in any interfering in the possession and enjoyment of the petitioner in respect of the property in plot No.68 in R.S.No.8/7,8,9,16,17,18,9/14, 15/A1,14B, 9/15B, 16, 17 and Plot Nos.4, 6, 14, 17, 38, 41, 48, 57, 67 & 104 in R.S.Nos.8/7, 8, 9, 16, 17, 18, 9/14, 15/A1, 14B, 9/15B, 16, 17 at Chitheripattu Village, Tirukoilur taluk, Villupuram District.



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For Petitioners : Mr.N.Suresh
in both W.P's

For Respondents : Mr.A.Anandan,
Government Advocate
in W.P.No.14464 of 2010

For Respondents : Mr.T.Chezhiyan,
Additional Government Pleader
in W.P.No.13267 of 2010

COMMON O R D E R

The petitioners have filed these writ petitions seeking quashment of the proceedings of the 2nd respondent and forbearing the respondents from interfering in the possession and enjoyment of the petitioner in respect of the properties.

2.The case of the petitioners is that they are poor and downtrodden Adi Dravidars and the District Administration decided to issue free house site pattas for 153 poor Adi Dravidas and thereafter, short listed to 116 persons, wherein, the names of the petitioners were included and granted free house site pattas and they were in possession and enjoyment of the property. While so, some persons belonging to the same community, who are not granted free house site pattas approached this Court by filing a Writ Petition in W.P.No.4847 of 1999 and the same was allowed in their favour, including the 153 persons, who were originally selected. However, the 2nd respondent without any notice, passed an order dated 24.11.1999 cancelling the pattas granted to those 116 beneficiaries and prepared a fresh list of 153 persons. Challenging the same, these Writ Petitions have been filed.

3.The learned counsel for the petitioners submitted that this Court by its order dated 05.10.2001 allowed the Writ Petition in favour of the beneficiaries including 153 persons, who were originally selected as eligible persons for getting free house site patta wherein, the names of the petitioners were also added as beneficiaries. However, the 2nd respondent, without any notice to the petitioners, prepared a fresh list of 153 persons and unilaterally cancelled the pattas that were granted to the petitioners. The counter affidavit filed by the respondents reveal that the petitioners' names were available in the list of 153 beneficiaries prepared earlier.

4.Heard the contentions of the learned learned Government Advocate appearing for the respondents.



5. On perusal of the counter affidavit filed by the respondent in W.P.No.14464 of 2010 reveal that the petitioners' name were also included in the previous list consisting of 153 beneficiaries as listed below:

1.	Anjalai W/o Mayavan	S.No.100	In the 153 list
2.	Sagunthala W/o Veeran	S.No.139	In the 153 list
3.	Kantha W/o Nesan (Santha is correct name)	S.No.144	In the 153 list
4.	Indira W/o Kamaraj	S.No.112	In the 153 list
5.	Anandhayee W/o Elumalai	S.No.57	In the 153 list
6.	Alamelu W/o Sekar	S.No.51	In the 153 list
7.	Ambazhagan S/o Veerasamy	His name was not found in the list as he is residing Anna nagar Chennai for the past 35 years.	
8.	Dhanakotti W/o Boopalan (Dhanapathi is correct name)	S.No.151	In the 153 persons list
9.	Kamaluru	S.No.55	In the 153 persons list
10.	Shanmugam S/o Kaluvan	S.No.110	In the name of his wife Kamsala

6. However, no counter has been filed in W.P.No.13267 of 2010 and the learned Additional Government Pleader fairly concedes that the petitioner one Kanagavalli in W.P.No.13267 of 2010 is also a person who is a beneficiary in the list containing 153 names.

7. In view of the above, it is discernible that the names of the petitioners are included in the list of 153 beneficiaries. Hence, this Court, directs the 1st respondent to issue patta to 153 persons including the petitioners who were originally selected as beneficiaries, within a period of twelve weeks from



the date of receipt of a copy of this order.

8. These writ petitions are accordingly disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

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Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Villupuram District,
Villupuram.
2. The District Revenue Officer,
Villupuram District,
Villupuram.
3. The Special Thasildhar,
Adi-dravidar Welfare,
Ulundurpet.

+2cc to Mr.Suresh, Advocate, S.R.No.10885, 10887

+1cc to the Government Pleader, S.R.No.10748

W.P.Nos.13267 & 14464 of 2010
and
W.M.P.No.3 of 2010

MG(CO)
RGA(11/03/2022)