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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.02.2022

CORAM
THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. No.8526 of 2010
and
M.P.No.1 of 2010

K.Vadivelu

... Petitioner

-vs-

1. The Secretary to the Government of Tamil Nadu,
Social Welfare Department,
Fort St.George,
Chennai - 9.
2. The Commissioner of Land Administration,
Ezhilagam,
Chennai - 5.
3. The District Collector,
Kancheepuram,
Kancheepuram District.
4. The Registrar of Co-Operative Societies,
Chennai.
5. The Joint Registrar of Co-Operative Societies,
Chengalpattu Region,
Chengalpattu,
Kancheepuram District.
6. The Deputy Registrar of Co-Operative Societies,
Chengalpattu Region,
Chengalpattu, Kancheepuram District.
7. The District Harijan Welfare Officer,
Kancheepuram,
Kancheepuram District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus directing the respondents to permit the petitioner's society to occupy the lands which is already allotted to the Karunguzhipallam Village Co-operative Colonisation Society, Thirukazhukundram Taluk, Kancheepuram District.



For Petitioners

: Mr.V.Raghavachari
for Mr.Ramalingam

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For Respondents R1 to R3

: Mr.M.Murali
Government Advocate

For Respondents R4 to R6

: Mr.K.Surendran
Additional Government Pleader
Co-operative Society

O R D E R

This writ petition has been filed for issuance of a Writ of Mandamus to direct the respondents to permit the petitioner's society to occupy the lands which is already allotted to the Karunguzhipallam Village Co-operative Colonisation Society, Thirukazhukundram Taluk, Kancheepuram District.

2. The case of the petitioner is that, the petitioner is the Secretary of the Karunguzhipallam Harijana Nila Meetpor Sangam and the said sangam was registered as per the Co-operative Societies Act (in short 'the Act') and started functioning from 30.06.1960. While so, the then District Revenue Officer, Chengelpet vide his proceedings dated 23.06.1963, allotted 100 Acres and 1 cent of land for utilization of the Society and the members of the society used the above said land for cultivation and constructed huts. Thereafter, in the year 1966, the said Karunguzhipallam Village got affected due to storm and heavy flood and the members of the society migrated to several places for eking out their livelihood. Therefore, the then Deputy Registrar of Co-operative Societies passed an order for dissolution of the above said Society in the year 1971. While such being the situation, the interested persons joined together and made a representation dated 10.04.2010 before the 3rd respondent, requesting the authorities to permit the real beneficiaries to utilize the above said land which was previously allotted to the petitioner's Sangam. However, till date no orders have been passed on the said representation. Hence the petitioner has filed this Writ Petition with the above prayer.

3. The learned counsel for the petitioner submitted that, though the 4th, 5th and 6th respondents filed a counter stating that the Revenue Department has acquired permission to enter upon to the Society and not to individuals, however, the members / beneficiaries of the said Society joined together and made representation to the District Collector to allot land to the original beneficiaries. Hence, he submitted that, it would suffice if this Court issues direction to the



respondents to consider the petitioner's representation dated 10.04.2010 and pass appropriate orders on the same within the time stipulated by this Court.

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4. The learned Government Advocate appearing on behalf of respondents 1 to 3 and the learned Additional Government Pleader appearing for respondents 4 to 6 have no objection for said order being passed and have fairly conceded that the petitioner's representation dated 10.04.2010 will be considered and appropriate orders will be passed within the time stipulated by this Court.

5. In view of the limited relief sought for by the petitioner, this Court without going into the merits of case, issues direction to the respondents to consider the petitioner's representation dated 10.04.2010 on merits and pass appropriate orders in accordance with law within a period of 12 weeks from the date of receipt of a copy of this order after providing opportunity of personal hearing to the petitioner.

6. Accordingly, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

rap/skt
To

1. The Secretary to the Government of Tamil Nadu,
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3. The District Collector,
Kancheepuram,
Kancheepuram District.



4. The Registrar of Co-Operative Societies,
Chennai.

5. The Joint Registrar of Co-Operative Societies,
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Chengalpattu,
Kancheepuram District.

6. The Deputy Registrar of Co-Operative Societies,
Chengalpattu Region,
Chengalpattu, Kancheepuram District.

7. The District Harijan Welfare Officer,
Kancheepuram,
Kancheepuram District.

+1 cc to Mr.Ramalingam, Advocate Sr.NO. 9663

+1 cc to Government Pleader Sr.NO. 9867

W.P. No.8526 of 2010
and
M.P.No.1 of 2010

kg (CO)

A.SK(08/03/2022)