



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2022

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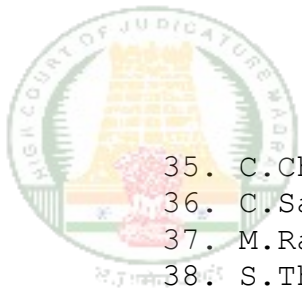
THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.10090 of 2022

and

W.M.P No. 9785 of 2022

1. P.Srinivasan
2. M.Asaitambi
3. D.Mathialagan
4. P.Prabhu
5. Selvam
6. K.Amuthuvali
7. K.Sathiya
8. D.Rathinammal
9. Jayanthi
10. S.Rajathi
11. R.Vimal
12. M.Priya
13. S.Devi
14. S.Prabhakaran
15. S.Prema
16. P.Vijaya
17. G.Raja
18. R.Thamaraimangai
19. M.Padmavathy
20. K.Sankar
21. G.Malliga
22. K.Vijay
23. K.Janaki
24. R.Sampath
25. M.Selvi
26. D.Raja
27. P.Murugesan
28. P.Alamelu
29. K.Ramesh
30. C.Kamalam
31. A.Madhesh
32. K.Sridharan
33. A.Maheswari
34. C.Settu



35. C.Chelladuri
36. C.Samundi
37. M.Rajendiran
38. S.Thangammal
39. P.Shanthi
40. S.Lakshmi
41. M.Rajkumar
42. A.Valli
43. R.Shanthi
44. P.Thenmozhi
45. K.Govindammal
46. K.Arayer
47. S.Keerthana
48. Ananthayee

...Petitioners

Vs.

1. The Additional Chief Secretary,
Land Administrative Department of Tamil Nadu,
Office of the Commissionerate of Land Administrative,
Ezhilagam Maligai,
Chepauk - Chennai -5.
2. The Director,
Addi-Dhiravider Welfare Department,
Office of the Commissionerate of Land Administrative,
Ezhilagam Maligai,
Chepauk - Chennai -5.
3. The District Collector,
O/o The District Collectorate,
Salem District.
4. The Revenue Divisional Officer,
O/o Revenue Divisional Officer,
Mettur Taluk,
Salem District.
5. The Revenue Tahsilder,
O/o the Revenue Tahsildar,
Omalur Taluk,
Salem District.
6. The Tahsilder,
Adi-diravider Welfare Department -(Thani),
O/o the Revenue Tahsildar,
Omalur Taluk,
Salem District.



7. Selva Perumal

...Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1 to 6th respondents to provide three cents vacant land as per commenced the process of taking possession issuing in Na.Ka 1051/86/T dated 04.07.1986 by the 6th respondent in situate at Salem District, Omalur Taluk, U.Maramanagalam Village in land in Survey No.35/1 extent 1.21.0 hectare and consequently by this Hon'ble Court may be fixed the stipulate time.

For Petitioners : Mr.G.Munuraj

For R1 to R6 : Mr.V.Veluchamy
Additional Government Pleader

O R D E R

This Writ Petition has been filed to issue a Writ of Mandamus, directing the 1 to 6th respondents to provide three cents vacant land as per commenced the process of taking possession issuing in Na.Ka 1051/86/T dated 04.07.1986 by the 6th respondent, situated at Salem District, Omalur Taluk, U.Maramanagalam Village in land in Survey No.35/1 to an extent of 1.21.0 hectare and consequently by this Hon'ble Court may be fixed the stipulate time.

2. Mr.V.Veluchamy, learned Additional Government Pleader takes notice for the respondents 1 to 6. In view of the limited relief sought for in this petition, on the consent expressed by the Learned counsel appearing for either side, taken up for final disposal. Since, no adverse order is passed against the 7th respondent, notice on 7th respondent is dispensed with.

3. The case of the petitioners is that the property to an extent of 1.21.0 hectare comprised in Survey No.35/1, situated at Salem District, Omalur Taluk, U.Maramanagalam Village, belongs to Government and the said land is classified as Government Poromboke. In an earlier occasion, in order to provide free house site patta in favour of the petitioners and other similarly situated persons, they drawn the eligibility list for providing patta to the landless poor in which the petitioners names were found. However, the patta was not issued on the ground that a third party had filed a suit in O.S.No.477 of 1986 and the same was dismissed and even after the disposal



of the said suit by the Civil Court, the free house site pattas were not issued to the petitioners and other similarly situated persons.

4. The learned counsel for the petitioners submitted that as on date there is no legal impediment for issuance of free house site patta. Hence, this Court may issue a direction to the sixth respondent to consider the representation of the petitioners dated 08.02.2022 and may pass appropriate orders within the stipulated time as fixed by this Court.

5. The learned Additional Government Pleader appearing for the respondents, would submit that the representation made by the petitioners will be considered and appropriate orders will be passed on merits within the time frame to be fixed by this court.

6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the sixth respondent to consider the representation of the petitioners dated 08.02.2022 and after giving an opportunity of hearing to the petitioners and the 7th respondent herein and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above directions, this writ petition stands disposed of. Consequently, connected Miscellaneous petition is closed. No costs.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Additional Chief Secretary,
Land Administrative Department of Tamil Nadu,
Office of the Commissionerate of Land Administrative,
Ezhilagam Maligai,
Chepauk - Chennai -5.



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2. The Director,
Addi-Dhiravider Welfare Department,
Office of the Commissionerate of Land Administrative,
Ezhilagam Maligai,
Chepauk - Chennai -5.
3. The District Collector,
O/o The District Collectorate,
Salem District.
4. The Revenue Divisional Officer,
O/o Revenue Divisional Officer,
Mettur Taluk,
Salem District.
5. The Revenue Tahsilder,
O/o the Revenue Tahsildar,
Omalur Taluk,
Salem District.
6. The Tahsilder,
Adi-diravider Welfare Department -(Thani),
O/o the Revenue Tahsildar,
Omalur Taluk,
Salem District.

+1 CC to The Government Pleader sr 28644.

W.P.No.10090 of 2022
and
W.M.P No. 9785 of 2022

GPL (CO)
SP (04/05/2022)