



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.04.2022

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P.NO.9680 OF 2022

N.R.Raja,
President,
Bodipalayam Panchayat,
Bodipalayam North Union,
Coimbatore District.

.. Petitioner

Vs.

1. The Sub Collector cum Revenue Divisional Officer,
Pollachi,
Coimbatore District.
2. The Tashildar,
Pollachi Taluk,
Pollachi, Coimbatore District.
3. The Village Administrative Officer,
Bodipalayam,
Pollachi Taluk,
Coimbatore District.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the 1st Respondent to consider the petitioner's representation dated 26.01.2022 and pass orders.

For Petitioner : Mr.N.Ponraj

For Respondents : Mr.U.Baranidharan
Additional Government Pleader

O R D E R

The petitioner has come out with the present Writ Petition for a direction to the 1st respondent to consider the representation of the petitioner dated 26.01.2022 and pass orders.



2.By consent of both the learned counsel appearing for the petitioner as well as the learned Additional Government Pleader appearing for the respondents, this Writ Petition is taken up for final disposal at the admission stage itself.

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3.According to the petitioner, he is the president of Bodipalayam panchayat. On 26.01.2022, the 3rd respondent along with surveyor came to the Bodipalayam village and started measuring the land in S.F.No.76/2 measuring about 0.39.5 acres in the petitioner's village panchayat. The residents of Bodipalayam village panchayat objected for surveying the land and reported the same to the petitioner. When the petitioner enquired with 3rd respondent about the same, he came to know that during the year 2015, free house site patta were issued to 28 beneficiaries and out of 28 beneficiaries, only 5 beneficiaries are from the petitioner's village panchayat. Therefore, the petitioner as a President and also people of panchayat gave separate representations dated 26.01.2022 to the 1st respondent to cancel the patta issued to the outsiders and prayed for issuing patta to the people of the Bodipalayam village panchayat.

4.The learned counsel appearing for the petitioner submitted that most of the people in the Bodipalayam village panchayat are landless poor and they do not have any house sites or house of their own. When most of the people in the Bodipalayam village panchayat are without any house sites or house of their own, allotment of free house site patta to 23 outsiders is arbitrary, discrimination and non application of mind. The learned counsel appearing for the petitioner further submitted that as per G.O. [Ms].No.99, Tamil Nadu Government Personnel and Administrative Reforms (A) Department, dated 21.09.2015, the 1st respondent is bound to consider the representation of the petitioner and pass orders within 30 days. But, the 1st respondent failed to consider the representation of the petitioner as well as the representation of the people of Bodipalayam village panchayat till date. Hence, the petitioner has come out with the present Writ Petition.

5.Mr.U.Baranidharan, learned Additional Government Pleader appearing for the respondents on instructions submitted that the representation of the petitioner will be considered and orders will be passed in accordance with law within the time frame fixed by this Court.

6.Heard the learned counsel appearing for the petitioner as well as the learned Additional Government Pleader appearing for the respondents and perused the entire materials on record.



7.From the materials on record, it is seen that the grievance of the petitioner is that when most of the people in the Bodipalayam village panchayat are landless even without having any house or house sites, granting free house site patta to the outsiders for the land in Bodipalayam village panchayat is discriminatory and non application of mind.

8.Considering the above submissions of the learned counsel appearing for the petitioner, the 1st respondent is directed to consider the representation of the petitioner dated 26.01.2022, taking into consideration the grievance of the petitioner that most of the villagers of the Bodipalayam village panchayat are without having any house or house sites and pass orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

9.With the above directions, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Sub Collector cum Revenue Divisional Officer,
Pollachi,
Coimbatore District.
2. The Tashildar,
Pollachi Taluk,
Pollachi, Coimbatore District.
3. The Village Administrative Officer,
Bodipalayam,
Pollachi Taluk,
Coimbatore District.

+lcc to M/s.N.Ponraj, Advocate, S.R.No.26684

+lcc to the Government Pleader, High Court, Madras, S.R.No.27150

W.P.No.9680 of 2022

SJ(CO)
RLP(04/05/2022)