

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.14705 of 2022

K.Anbarasu

... Petitioner

Vs.

1. The Addl.Chief Secretary,
Revenue & Deasaster Management Department,
Fort St.George,
Chennai - 600 009.
2. The Secretary,
Adidravidar & Tribble Welfare Dept.,
Fort St.George,
Chennai - 600 009.
3. The Principal Secretary / Commissioner,
Land Administration,
Ezhilakam,
Chennai - 600 005.
4. The Director,
Survey and Settlement,
Ezhilakam,
Chennai - 600 005.
5. The Commissioner,
Adidravidar Welfare Commissionerate,
Ezhilakam,
Chennai - 600 005.
6. The District Collector,
Thiruvallur District.
7. The District Revenue Officer,
Thiruvallur District.
8. The District Adidravidar & Tribble Welfare Officer,
Thiruvallur District.

9. The Revenue Divisional Officer,
Ponneri Division,
Thiruvallur District.

10. The Special Tahsildar,
Adidraavidar Welfare,
Ponneri Division,
Thiruvallur District.

11. The Tahsildar,
Ponneri Taluk,
Thiruvallur District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 11 herein to consider the petitioner's representation dated 21.03.2022 and consequently direct the respondents 1 to 11 herein to allot the land situated at Survey Nos.20/1 and 20/3B, AthivakkamKottur Village, Ponneri Taluk, Tiruvallur District to the total extent of 3.50 Acre to the qualified and eligible persons of Scheduled Caste Community including the petitioner herein to the extent of 3.5 cents for each person residing at the AthivakkamKottur Village, Ponneri Taluk, Thiruvallur District.

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

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents to consider the petitioner's representation dated 21.03.2022 and to consequently direct the respondents to allot the land situated at Survey Nos.20/1 and 20/3B, Athivakkam Kottur Village, Ponneri Taluk, Tiruvallur District to the total extent of 3.50 Acre to the qualified and eligible persons of Scheduled Caste Community including the petitioner to the extent of 3.5 cents for each person residing at the Athivakkam Kottur Village, Ponneri Taluk, Thiruvallur District.

2. The case of the petitioner is that the Government acquired an extent of 1.22.0 Hects of land in S.No.20/1 and 0.95 Hects of land in S.No.20/3B at Athivakkam Kottur Village, Ponneri Taluk, for providing free house-site for Adidraavidars, however, did not allot the same. Hence, he made representation dated 21.03.2022

to the respondents seeking to allot the lands situated at Survey Nos.20/1 and 20/3B, Athivakkam Kottur Village, Ponneri Taluk, to the qualified and eligible persons of Scheduled Caste Community including the petitioner to the extent of 3.5 cents for each person residing at Athivakkam Kottur Village, Ponneri Taluk, Thiruvallur District and since the same has not yet been considered, has filed this writ petition.

3.The learned counsel appearing for the petitioner submitted that though the Government acquired an extent of 1.22.0 Hects of land in S.No.20/1 and 0.95 Hects of land in S.No.20/3B at Athivakkam Kottur Village, Ponneri Taluk, for providing free house-site for Adidraavidars, till date, the Government did not allot the same to eligible persons.

4.Heard the arguments advanced on either side and perused the materials available on record.

5.Though the petitioner claims that the Government acquired an extent of 1.22.0 Hects of land in S.No.20/1 and 0.95 Hects of land in S.No.20/3B at Athivakkam Kottur Village, Ponneri Taluk, for providing free house-site for Adidraavidars, the petitioner has not produced any Scheme or Acquisition proceedings before this Court to substantiate the same. In the absence of any Scheme or Acquisition proceedings, filing the writ petition is not sustainable one and this Court cannot issue any positive direction to the respondents. Hence, the prayer sought for in this writ petition cannot be considered.

6.This writ petition is accordingly dismissed. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Additional Chief Secretary,
Revenue & Disaster Management Department,
Fort St.George, Chennai - 600 009.
2. The Secretary,
Adidraavidar & Tribal Welfare Dept.,
Fort St.George, Chennai - 600 009.

3. The Principal Secretary / Commissioner,
Land Administration,
Ezhilakam, Chennai - 600 005.
4. The Director,
Survey and Settlement,
Ezhilakam, Chennai - 600 005.
5. The Commissioner,
Adidravidar Welfare Commissionerate,
Ezhilakam,
Chennai - 600 005.
6. The District Collector,
Thiruvallur District.
7. The District Revenue Officer,
Thiruvallur District.
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Ponneri Division,
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10. The Special Tahsildar,
Adidravidar Welfare,
Ponneri Division,
Thiruvallur District.
11. The Tahsildar,
Ponneri Taluk,
Thiruvallur District.

+1cc to the Government Pleader, S.R.No.35333

W.P.No.14705 of 2022

PM[co]
NSK/27/06/2022