



W.P.No.25511 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2022

CORAM :
THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Writ Petition No.25511 of 2022

V.Kannan

... Petitioner

Vs.

- 1.The Secretary,
Bakward and Most Backward Classes Welfare Department,
Government of Tamil Nadu,
Fort St.George, Chennai – 600 009.
- 2.The District Collector,
Cuddalore District,
District Collectorate Building, Cuddalore
- 3.The District Revenue Officer,
Cuudalore District,
District Collectorate Building, Cuddalore.
- 4.The Special Tasildar (ADI),
Aadhi Dravidar Welfare Department,
Virudhachalam Taluk Office,
Virudhachalam Taluk, Cuddalore District.
- 5.The Municipal Commissioner,
Virudachalam Municipality,
Virudachalam Taluk, Cuddalore District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents herein to allot free house sites to the landless, poor people belonging to Dhobby community living in and around Virudachalam Taluk, Cuddalore District including the petitioner who are already identified for the said purpose after removing encroachments if any as per the various orders passed by the Hon'ble High Court of madras in Writ Petition Nos.3554, 3561 of 1995; 23276 of 2008 in continuation of Notification dated 31.10.1990 published in Tamil Nadu Gazette in Letter No.15476|BC.II|90-1, Backward Classes and Most Backward Classes Welfare with respect to the Lands situated at kandiyanakupam Village, Virudachalam Taluk, Cuddalore District comprised in S.Nos.72/2C, 72/3B, 72/3D, 72/6A, 72/6B, 72/6C1 and 72/6C2 measuring an extent of 2 acres 60 cents (1.04.0 hectre) by considering the representation of the petitioner dated 09.05.2022.

For Petitioner : Mr.T.L.Thirumalaisamy

For Respondents : Mr.S.Prabhakaran,
Government Advocate

ORDER

By consent of both the parties, this writ petition is taken up for final disposal in the admission stage itself.



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2. The petitioner has filed this petition seeking direction to the respondents to allot free house sites to the landless, poor people belonging to Dhobby community living in and around Virudachalam Taluk, Cuddalore District including the petitioner who are already identified for the said purpose after removing encroachments if any as per the various orders passed by the Hon'ble High Court of madras in Writ Petition Nos.3554, 3561 of 1995; 23276 of 2008 in continuation of Notification dated 31.10.1990 published in Tamil Nadu Gazette in Letter No.15476|BC.II|90-1, Backward Classes and Most Backward Classes Welfare with respect to the Lands situated at kandiyangkuppam Village, Virudachalam Taluk, Cuddalore District comprised in S.Nos.72/2C, 72/3B, 72/3D, 72/6A, 72/6B, 72/6C1 and 72/6C2 measuring an extent of 2 acres 60 cents (1.04.0 hectre) by considering the representation of the petitioner dated 09.05.2022.

3. The case of the petitioner is that the petitioner is the Secretary of Tamil Nadu Salavai Thozhilalar Munnetra Sangam and most of the members of the said Sangam are landless poor people. Therefore, the petitioner made a representation to the then South Arcot District Collector to allot free house



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sites patta to the members of the said Sangam. Pursuant to which, the Government of Tamil Nadu issued a notification for acquisition of land and passed an award in Award No.6/90-91. Challenging the same, various litigations came to be filed and all the proceedings resulted in confirming the award. During the pendency of the above proceedings, the first respondent called for the draft withdrawal notification in D.O letter No.18955/BC-2/92/10 dated 23.09.1994 and letter No.3467/CB/II/95 dated 02.06.1995. Thereafter, the petitioner made representation dated 27.12.2021 before the respondents to allot free house sits to the members of the petitioner's Sangam, however, no steps were taken. Therefore, the petitioner has made another representation dated 09.05.2022 before the respondents, seeking the similar relief, but no order was passed. Hence, this writ petition.

4. Though very many grounds have been raised in this Writ Petition, learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the respondents 2 & 4 to consider the petitioner's representation dated 09.05.2022 and pass orders on merits within a particular time frame to be fixed by this Court.



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5. The learned Special Government Pleader appearing for the respondents has no objection for said order being passed.

6. Heard the learned counsel on either side and perused the materials placed on record.

7. Taking into consideration the factual aspects of the matter, this Court without going into the merits of the case, directs fourth respondent to consider the petitioner's representation dated 09.05.2022 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the petitioner as well as aggrieved persons if any, within a period of twelve weeks from the date of receipt of a copy of this order, if there is no legal impediments.

8. With the aforesaid direction, this Writ Petition is disposed of. No costs.

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Index : Yes/No
Speaking Order : Yes/No

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M.DHANDAPANI,J.

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To:

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