



W.P.Nos.32779, 32780, 32775, 32776, 32767, 32771 and 32772 of 2019

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 04.07.2022**

**CORAM**

**THE HONOURABLE MR.JUSTICE M.DHANDAPANI**

**W.P.Nos.32779, 32780, 32775, 32776,  
32767, 32771 and 32772 of 2019**

**And**

**W.M.P.Nos.33203, 33204, 33200, 33201,  
33194, 33197 and 33198 of 2019**

Saraswathi

... Petitioner in W.P.32779/2019

Vs.

1.The District Adi Dravidar Welfare Officer,  
Vellore District,  
Vellore.

2.The Special Tahsildar,  
Adi Dravidar Welfare Office,  
Thirupathur.

... Respondents in W.P.32779/2019

**Prayer in W.P.No.32779 of 2019:**

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the entire records pertaining to the order passed by the first respondent herein vide his proceedings No.Na.Ka.K10/18018/2019-21, dated 31.10.2019 and quash the same as illegal, arbitrary, unreasonable and and violative of rules and principle of natural justice and thereby direct to restore the



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order passed by the second respondent herein vide proceedings in Na.Ka-A1/3624/77, dated 01.02.2019 in allotting the plot No.56.

For Petitioners : Mr.V.Thirupathi  
For Respondents : Mr.G.Krishna Raja  
Additional Government Pleader

### **COMMON ORDER**

The petitioners have filed these writ petitions seeking issuance of Writ of Certiorarified Mandamus calling for the entire records pertaining to the order passed by the first respondent dated 31.10.2019 and to quash the same as illegal, arbitrary, unreasonable and and violative of rules and principle of natural justice and to direct to restore the order passed by the second respondent vide proceedings in Na.Ka-A1/3624/77, dated 01.02.2019, 01.02.2019, 01.02.2019, 01.02.2019, 28.12.2018, 01.02.2019 and 28.12.2018 respectively.

2.Since the issue involved in all these writ petitions are one and the same, the are heard together and disposed of by way of a common order.

3.The case of the petitioners is that the second respondent acquired 3.34 acres of land in S.No.42/2, K Pantharapalli Village,



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Natarapalli Taluk, Vellore District, for allotment of free house site for landless Adi Dravidar Community people and formed a layout earmarking 76 plots to an extent of 0.03 cents each to the beneficiaries. Out of the 76 plots, 48 plots were allotted to the beneficiaries and 28 plots remained vacant. Hence, the petitioners made representation to the second respondent for allotment of the said plots. The second respondent after verification of the eligibility regarding the community, destituteness and the fact that there is no other piece of land in the name of the petitioners, allotted the respective plots to the petitioners.

4.The further case of the petitioners is that thereafter the petitioners came to know that one Gnaneshwari who is residing in some other village managed to get a plot in the aforesaid layout and some 10 other persons also encroached the plots and started constructing houses and hence, they made representation to the first respondent. The first respondent after conducting enquiry cancelled the allotment given for 9 plots including the plots allotted to the petitioners. Hence, these writ petitions.



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5.The learned counsel appearing for the petitioners submitted that the first respondent cancelled the allotment given to 9 plots on the ground that the 9 plots are allotted to two different persons on different dates, however, the petitioners are not aware of the above said facts and the petitioners were not given any opportunity, before cancelling the allotment given to them.

6.The learned Additional Government Pleader appearing for the respondents submitted that this Court may issue direction to the first respondent to conduct enquiry and after providing opportunity to the petitioners and other allottees, whose allotments were cancelled, the first respondent may allot the plots to the eligible persons or utilize the same for any other purpose.

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

8.The facts in the present case is not in dispute. Admittedly, the second respondent acquired 3.34 acres of land in S.No.42/2, K Pantharapalli Village, Natarapalli Taluk, Vellore District, for allotment of



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free house site for landless Adi Dravidar Community people and formed a layout earmarking 76 plots to an extent of 0.03 cents each to the beneficiaries. Out of the 76 plots, 48 plots were allotted to the beneficiaries and 28 plots remained vacant.

9.It is alleged that in the said 28 plots, some plots are allotted to two different persons on different dates. It is the contention of the petitioners that though the petitioners were allotted plots after proving their eligibility, they were cancelled by the first respondent on the ground that the said plots are allotted in favour of third parties and no opportunity was given to the petitioners before cancellation of their allotment.

10.In view of the above, this Court is of the opinion that the first respondent has to take action against the second respondent for the illegal allotment of the plots. Apart from that the first respondent has to conduct enquiry and find out the eligible persons.

11.Hence, without interfering with the order impugned in these writ petitions, this Court directs the first respondent to conduct enquiry in respect of the 28 plots, which remained vacant after the earlier



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allotment of 48 plots, and after providing opportunity to all the persons concerned including the petitioners, cancel the allotment given to the ineligible persons and allot the plots to the eligible persons. If the first respondent finds no eligible person, the first respondent is at liberty to utilize the plots for any other public purpose relating to Adi Dravidar Community.

12.With the above observations, these writ petitions stand disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

**04.07.2022**

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Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No

To

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Vellore.

2.The Special Tahsildar,  
Adi Dravidar Welfare Office,  
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**M.DHANDAPANI,J.**  
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