



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.03.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.5470 of 2022
and
W.M.P. (MD)No.4430 of 2022

Anjugam

... Petitioner

vs.

1.The Government of Tamil Nadu,
represented by its Secretary,
Department of Adi-Dravidar Welfare,
Secretariat, Chennai - 600 009.

2.The District Collector,
Collectorate, Pudhukottai District.

3.The District Adi-Dravidar and Tribal
Welfare Officer,
Office of the The District Adi-Dravidar and Tribal
Welfare Officer, Collector Office
Pudhukottai District.

4.The Special Tahsildar,
Office of the Special Tahsildar,
Adi-Dravidar Welfare Department,
Aranthangi, Pudhukottai District.

5.S.Thangamani

6.M.Kathiresan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondent No.2 to 4 to consider the representation of the petitioner dated 25.10.2021 and 25.02.2022 for assignment of free house site patta under Harijan Welfare Schemes in the lands in Survey Nos.75/5 and 76/2B2 in Karamakudi Village, Karambakudi Taluk, Pudhukottai District.

For Petitioner :Mr.Mahaboob Fazil
for Mr.T.Lajapathi Roy

For R1 to R4 :Mr.D.Sasikumar
Additional Government Pleader



O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents 2 to 4 to consider the petitioner's representations, dated 25.10.2021 and 25.02.2022 requesting the respondents for grant of free house site patta under the Harijan Welfare Schemes for the lands in Survey Nos.75/5 and 76/2B2 in Karamakudi Village, Karambakudi Taluk, Pudhukottai District, within a time frame to be fixed by this Court.

2.It is the case of the petitioner that she belongs to Adi Dravidar community. According to her, she is eligible to get free house site patta in her name under the Harijan Welfare Schemes for the aforementioned lands. She has also given representations to the respondents, dated 25.10.2021 and 25.02.2022 for the said purpose. Since the said representations have not been considered till date, she has filed this Writ Petition.

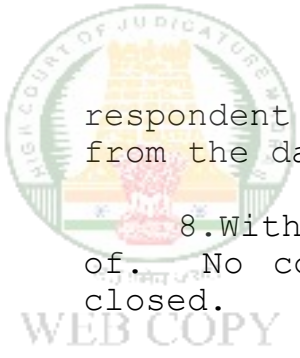
3.Heard Mr.Mahaboob Fazil, learned Counsel for the petitioner and Mr.D.Sasikumar, learned Additional Government Pleader, who takes notice on behalf of R1 to R4.

4.The learned Additional Government Pleader, on instructions, would submit that the petitioner is already owning lands and therefore, she is not eligible to get free house site patta under the Harijan Welfare Schemes. The said statement is recorded.

5.However, the same is disputed by the learned Counsel for the petitioner. According to the learned Counsel for the petitioner, the 5th and 6th respondents, who are already owning lands in their respective names, have been granted free house site patta in their names.

6.After giving due consideration to the submissions made by the respective learned Counsels, this Court is of the considered view that no prejudice will be caused to the respondents, if the petitioner's representations are considered on merits and in accordance with law after affording a fair hearing to the petitioner as well as the respondents 5 and 6 and any other necessary party, whom the fourth respondent deems fit to enquire.

7.Accordingly, this Court directs the fourth respondent to consider the petitioner's representations, dated 25.10.2021 and 25.02.2022 seeking for free house site patta in her favour under the Harijan Welfare Schemes for the lands in Survey Nos.75/5 and 76/2B2 in Karamakudi Village, Karambakudi Taluk, Pudhukottai District, and pass final orders on merits and in accordance with law after affording a fair hearing to the petitioner as well as the respondents 5 and 6 and any other necessary party, whom the fourth



respondent deems fit to enquire, within a period of twelve weeks from the date of receipt of a copy of this order.

8. With the aforesaid directions, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

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/ /2022

Sub Assistant Registrar (CS)

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To

1. The Secretary,
The Government of Tamil Nadu,
Department of Adi-Dravidar Welfare,
Secretariat, Chennai - 600 009.
2. The District Collector,
Collectorate, Pudhukottai District.
3. The District Adi-Dravidar and Tribal
Welfare Officer,
Office of the The District Adi-Dravidar and Tribal
Welfare Officer, Collector Office,
Pudhukottai District.
4. The Special Tahsildar,
Office of the Special Tahsildar,
Adi-Dravidar Welfare Department,
Aranthangi, Pudhukottai District.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-15228[F]
dated 30/03/2022)

+1 CC to M/s.SPL GP (SR-15085[F] dated 29/03/2022)

Order made in
W.P. (MD)No.5470 of 2022
28.03.2022

SP (CO)
GC (06.04.2022) 3P 7C