



W.P.(MD)No.25588 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.11.2022

CORAM

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**
and
THE HONOURABLE MR.JUSTICE **J.SATHYA NARAYANA PRASAD**

W.P(MD)No.25588 of 2022

Manoharan

... Petitioner

Vs.

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The District Revenue Officer,
Madurai District,
Madurai.
- 3.The Revenue Divisional Officer,
Y.Othakadai,
Melur Division,
Madurai District.
- 4.The District Adi Draivdar Welfare Officer,
Madurai District.
- 5.The Thasildhar,
Melur Taluk,
Madurai District.
- 6.The Special Thasildhar,
Adi Dravidar Welfare,
Madurai District.
- 7.Muthulakshmi



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8.Jeya

9.Palaniappan

.. Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, to direct the respondents 1 to 6 to commence enquiry with regard to land in S.No. 500/2 Pattur Village, Melur Taluk, Madurai District and remove the encroachment by way of cancelling the free house site patta in the above said land on the basis of the representation dated 26.09.2022.

For Petitioner : Mr.B.Muneeswaran

For Respondents 1 to 6 : Mr.P.Thilak Kumar
Government Pleader

* * *

ORDER

(Order of the Court was made by **R.MAHADEVAN, J.**)

The petitioner has come forward with this writ petition praying to issue a writ of mandamus, directing the respondents 1 to 6 to commence enquiry with regard to land in S.No. 500/2, Pattur Village, Melur Taluk, Madurai District, and to remove the encroachment by way of cancelling the free house site patta granted in respect of the above said land on the basis of his representation dated 26.09.2022.



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2. Heard Mr.B.Muneeswaran, learned counsel for the petitioner and Mr.P.Thilak Kumar, learned Government Pleader, who accepts notice on behalf of the respondents 1 to 6. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. Having regard to the nature of the order proposed to be passed in this writ petition, notice to the respondents 7 and 9 is dispensed with.

4. Claiming that S.No.500, Pattur Village, Melur Taluk, Madurai District, was allotted for issuing free house site patta to the Adi-Dravidar community people and S.No.500/2 was left for public utility and during the year 2013 certain people started encroaching the same and some of them also obtained patta illegally from the 6th respondent and based on the repeated representations of the villagers though the 3rd respondent issued a communication to the 5th respondent to convert S.No.500/2 as "Manthai", no further action was taken, the petitioner submitted a representation to the respondents on 26.09.2022 and the same, according to the learned counsel for the petitioner, remains as such. Hence, the Writ Petition.



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5. Learned counsel for the petitioner would further submit that though the petitioner has sought for a larger relief, he would be satisfied, if a direction is issued to the respondents 5 and 6 to dispose of his representation dated 26.09.2022, within a time frame.

6. Considering the limited scope of the prayer now sought for by the petitioner, without expressing any opinion on the merits of the claim made by the petitioner, either in the representation or in the affidavit filed in support of the Writ Petition, this Writ Petition is disposed of with a direction to the respondents 5 and 6 to consider the representation of the petitioner dated 26.09.2022, and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the petitioner, respondents 7 to 9 and all other parties concerned. Such an exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order. No costs.

[R.M.D., J.] [J.S.N.P., J.]
10.11.2022

Internet : Yes / No
Index : Yes / No
sj



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To

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and

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