



W.P(MD)No.251

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.11.2022

WEB COPY

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.25098 of 2022

U.Maruthakasi

..Petitioner

Vs

1.The District Collector,
Office of District Collector,
Ramanathapuram District.

2.The Scheduled Caste and Scheduled Tribes
Welfare Officer,
Office of the Scheduled Caste and Scheduled Tribes Welfare
Ramanathapuram District.

3.The Special Tahsildar,
Scheduled Caste and Scheduled Tribes Welfare,
Ramanathapuram Block,
Ramanathapuram District.

4.The Revenue Tahsildar,
Taluk Tahsildar Office,
Kilakkarai,
Ramanathapuram District.



W.P(MD)No.251

5.The Revenue Inspector,
Taluk Tahsildar Office,
Kilakkarai,
Ramanathapuram District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 2 and 3 to issue the assignment patta and direct the respondents to conduct the detailed enquiry on the officials, who are all delayed the assignment about 35 years within the time stipulated by this Court.

For Petitioner

:Mr.S.Malaikani

For R1 to R5

:Mrs.K.Christy Theboral

Additional Government Pleader

ORDER

The Petitioner has filed this Writ Petition seeking a direction to the respondents 2 and 3 to issue the assignment patta and direct the respondents to conduct the detailed enquiry on the officials, who are all delayed the assignment about 35 years within the time stipulated by this Court.

2.Heard Mr.S.Malaikani, learned Counsel appearing for the petitioner and Mrs.K.Christy Theboral, learned Additional Government Pleader appearing for the respondents.



W.P(MD)No.251

WEB COPY

3.The learned counsel appearing for the petitioner would submit that the petitioner belongs to Scheduled Caste Community. On 15.07.2022 Mr.Santhanam, who is working in as Thalayari in Velanoor revenue village came to his village and was getting the signature in a notice called e.f.m/137/2021 which directed by the Special Tahsildar from the beneficiaries in a list finalized as beneficiaries for assignment of SC/ST colony during the year of 1988. While serving that notice, he has not allowed reading or taking any copies and he scolded the persons who are all asking explanation about that notice. Further he said, the Village Administrative Officer namely Sheik Sahulhameed who was working under the fifth respondent instructed him not to serve the original copy while taking the signature. The said Thalayari got the signature of some beneficiaries without explaining the content of the notice. On 26.07.2022 the petitioner sent to the fifth respondent's office to report the same and to collect the Notice which was to be served on 15.07.2022. After reading that notice, the land comprised in survey number 327/3A, 327/3B, 327/3C and 327/3D extent of 2.20 acres where acquired under the above order and rules for assigning the house site patta for SC/ST peoples by District Collector, Ramanathapuram and Ramanathapuram SC/ST Welfare Office to issue the assignment to the beneficiary list of 35 members in the Velanoor revenue Village. In the notice, the respondents mentioned that the assignment was given during that time itself and the beneficiaries need to give the explanation in 15



W.P(MD)No.251

days for not built the house and why not to take back the same by the welfare as per the assignment rules. Therefore, the petitioner has preferred a representation on 20.07.2022 to the Special Tahsildar and Revenue Tahsildar for Kilakkarai Taluk by giving his objection stating that he has not given assignment patta. Finally, the petitioner preferred a detailed representation to the Chief Secretary, Secretary of SC/ST Welfare, Ramanathapuram District Collector, District Head of SC/ST Welfare, Special Tahsildar for Ramanathapuram Division and Revenue Tahsildar of Kilakkarai Taluk mentioning all the details and to take necessary action on 23.08.2022. The Officials who were in the position in District Scheduled Caste and Scheduled Tribes Officials, Special Tahsildar Officials and Revenue Tahsildar Officials including Revenue Inspector Officials and Village Administrative Officials from 1986 were purposely hidden this information to do favour to the land owners. Hence, the petitioner has approached this Court by way of filing the present Writ Petition for the relief stated supra.

4.The learned Additional Government Pleader appearing for the respondents submitted that this is private lands belonging to the private individuals and hence, assignment cannot be granted.

5. Considering the limited scope of the prayer sought for by the petitioner, without going into the merits of the matter, this Court directs the respondents to



W.P(MD)No.251

WEB COPY

consider the petitioner's representation, dated 23.08.2022 and pass orders on merits and in accordance with law, within a period of four (16) weeks from the date of receipt of a copy of this order.

6. With the above direction, the writ petition stands disposed of. No costs.

Index : Yes/No
am

25.11.2022



W.P(MD)No.25

To

- 1.The District Collector,
Office of District Collector,
Ramanathapuram District.
- 2.The Scheduled Caste and Scheduled Tribes
Welfare Officer,
Office of the Scheduled Caste and Scheduled Tribes Welfare
Ramanathapuram District.
- 3.The Special Tahsildar,
Scheduled Caste and Scheduled Tribes Welfare,
Ramanathapuram Block,
Ramanathapuram District.
- 4.The Revenue Tahsildar,
Taluk Tahsildar Office,
Kilakkarai,
Ramanathapuram District.
- 5.The Revenue Inspector,
Taluk Tahsildar Office,
Kilakkarai,
Ramanathapuram District.



WEB COPY



W.P(MD)No.25

V.BHAVANI SUBBAROYAN, J.

am

W.P(MD)No.25098 of 2022

25.11.2022