



Writ Petition No.2147 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED :16.08.2023

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

Writ Petition No.2147 of 2023

- 1.V.Sevukan
- 2.M.Chinnaiyan
- 3.S.Chinnaiyan
- 4.P.Amaravathi
- 5.S.Balakrishnan
- 6.S.Pushpam
- 7.Ponnuruvam
- 8.Kokilambal
- 9.V.Arumugam

... Petitioners

Vs

1.The Secretary to Government,
State of Tamil Nadu,
Reveue Department,
Fort St.George, Chennai – 9.

2.The Secretary to Government,
State of Tamil Nadu,
Adi Dravidar and Tribal Welfare Department,
Fort. St.George, Chennai – 9.

3.The Secretary to Government,
State of Tamil Nadu,
Co-operative and Food Supply Department,
Fort. St.George, Chennai – 9.

4.The Commissioner,

1/6



Writ Petition No.2147 of 2023

Revenue and Land Administration,
Ezhilagam, Chepauk, Chennai – 600 005.

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5.The Registrar of Co-operatives Societies,
E.V.R.Road, Kilpauk, Chennai – 10.

6.The Collector,
Thanjavur District,
Thanjavur

7.The Joint Registrar of Co-operative Societies,
Pattukottai,
Thanjavur District.

8.The Tahsildar,
Taluk Officer, Orathanadu Taluk,
Orathanadu, Thanjavur District.

... Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus directing the respondents 1, 2 and 3 to consider the representation of petitioners dated 16.05.2017 and 26.04.2019 and pass order for restoration of land ownership and distribution of acres of lands comprised in Survey Nos.170, 172 to 204 in Nadur Village, Orathanadu Taluk, Tanjore District to the legal heirs of the deceased members of erstwhile T-71, Nadur Labour Co-operative Society, as per G.O.Ms.No.2007, Social Welfare Department, dated 10.08.1984, G.O.Ms.No.255, Adi Dravidar and Tribal Welfare (TDL) Department, dated 02.11.1993 and G.o.Ms.No.508, Revenue, dated 16.11.2004, within the prescribed time frame fixed by this Court.



Writ Petition No.2147 of 2023

For Petitioners : Mr.S.Gunasekaran

For Respondents : Mr.R.U.Dinesh Rajkumar
Additional Government Pleader

ORDER

The petitioners seeks direction to the respondents 1 to 3 to consider the representation of the petitioners dated 16.05.2017 and 26.04.2019 and pass necessary orders for restoration lands in S.Nos.170, 172 to 204 in Nadur Village, Orathanadu Taluk, Tanjore District to the member and surviving of legal heirs of the deceased members of the erstwhile T-71, Nadur Labour Co-operative Society, as per G.O.Ms.No.2007, Social Welfare Department, dated 10.08.1984, G.O.Ms.No.255, Adi Dravidar and Tribal Welfare (TDL) Department, dated 02.11.1993 and G.O.Ms.No.508, Revenue, dated 16.11.2004, within the prescribed time frame fixed by this Court.

2. It is the case of the petitioners that they are all legal heirs of the members of erstwhile T-71 Nadur Labour Co-operative Society. Originally, the lands comprised in S.Nos.170, 172 to 204 in Nadur Village, Orathanadu Taluk, Tanjore District stood in the name of T-71, Nadur



Writ Petition No.2147 of 2023

Labour Welfare Co-operative Society in the Revenue records and “A”
register.

3. It is the case of the petitioners that the said society got wound up as per the Government Order in G.O.Ms.No.2007, Social Welfare Department, dated 10.08.1984; G.O.Ms.No.255, Adi Dravidar and Tribal Welfare (TDL), Department, dated 02.12.1993; G.O.Ms.No.508, Revenue, dated 16.11.2004. The petitioners are entitled to the above said lands that stood in the name of T-71 society. In this regard, the petitioners submitted a representation to the respondents on 16.05.2017 and on 26.04.2019 requesting the respondents to cancel the entry in the Revenue record after UDR records, as if the lands are Government Poromboke and allot the said lands to the petitioners. The said representations have not been considered by the respondents.

4. Though the petitioners sought for positive direction to the respondents to allot the lands, which are in the name of erstwhile Nadur Co-operative Society, in their names, such a direction cannot be entertained by this Court in the absence of any acceptable material to show that the



Writ Petition No.2147 of 2023

petitioners are legal heirs of the erstwhile members and the lands belong to the said society, which according to petitioner was wound up.

5. Therefore, without expressing any opinion on the merits of the petitioner's claim, this Court is inclined to issue a direction to the 6th respondent/District Collector to consider the representation of the petitioners dated 26.04.2019 and pass final orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

6. With these directions, the writ petition is disposed of. No costs.

16.08.2023

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
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WEB COPY



Writ Petition No.2147 of 2023

S.SOUNTHAR, J.
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W.P.No.2147 of 2023

16.08.2023