



W.P.No.7415 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2023

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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Venkatasamy

.. Petitioner

Vs

1.The State of Tamilnadu,
rep. by its Secretary to the Government,
Department of Adi-Dravida & Tribal Welfare,
Fort St. George, Chennai-9.

2.The District Collector,
Cuddalore District.

3.The District Adi-Dravida & Tribal Welfare Officer,
Cuddalore District.

4.The Special Tahsildar,
Adi-Dravida Welfare,
Cuddalore District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the first respondent to consider the petitioner's representation dated 23.02.2023 and prepare a layout, issue housing patta to the eligible SC people of Angu Chettipalayam, Panruti Tauk, Cuddalore District, in pursuant to the Award No.4/83-84 dated 08.03.1984 passed by the fourth respondent.



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For the Petitioner : Mr.A.Venkatesan

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for respondent Nos.1 to 4

ORDER

(Order of the court was made by the Hon'ble Acting Chief Justice)

Venkatasamy, son of Arumugam, a resident of Anguchettipalayam Village, Pantruti Taluk, Cuddalore District, has filed this writ petition seeking issuance of a writ of mandamus directing the first respondent to consider the petitioner's representation dated 23.02.2023 and prepare a layout and issue housing patta to the eligible persons belonging to Scheduled Caste community in Anguchettipalayam, Panruti Tauk, Cuddalore District, pursuant to the Award No.4/83-84, dated 08.03.1984, passed by the fourth respondent.

2. When the matter was taken up, Mr.P.Muthukumar, learned State Government Pleader appearing on behalf of respondents 1 to 4, raised serious objection to the maintainability of the writ petition,



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by submitting that the petitioner has no locus standi to seek a blanket direction to prepare layout and issue housing patta to the eligible persons belonging to Scheduled Caste community in Anguchettipalayam, as the petitioner is neither a beneficiary, nor has any legitimate or legal right to represent all the persons belonging to Scheduled Caste community in Anguchettipalayam. He further submitted that if this type of litigation is entertained, it will create third party rights.

3. Admittedly, the petitioner is not a beneficiary who is entitled to housing patta and, therefore, he cannot be a person aggrieved by the non-issuance of the patta. A third party who has no enforceable right against the State cannot hold the brief on behalf of others who have not chosen to approach the court. By making a representation dated 23.2.2023 seeking certain benefit to the people belonging to Scheduled Caste community in Anguchettipalayam, the petitioner would not become an aggrieved person and thereby acquire locus standi to maintain a writ petition under Article 226 of the Constitution of India. The public interest



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litigation cannot be entertained as the beneficiaries themselves are very much in a position to seek remedy for themselves.

4. For the foregoing reasons, the writ petition is dismissed.

There will be no order as to costs.

(T.R., ACJ.) (D.B.C., J.)
10.03.2023

Index : No
Neutral Citation : No
sasi

To:

- 1.The Secretary to the Government,
State of Tamilnadu,
Department of Adi-Dravida & Tribal Welfare,
Fort St. George, Chennai-9.
- 2.The District Collector,
Cuddalore District.
- 3.The District Adi-Dravida & Tribal Welfare Officer,
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THE HON'BLE ACTING CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

(sasi)

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