



WEB COPY

W.P.No.17128 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.17128 of 2023

and

W.M.P.Nos.16587, 16588 and 16590 of 2023

- 1.Sellappappu
- 2.Nallammal
- 3.Jeyamani
- 4.Mathiyalagan
- 5.Dharmalingam
- 6.Ayyakkannu
- 7.Duraisamy
- 8.Mani
- 9.Shanmugam
- 10.Subramani
- 11.Prakasam
- 12.Raju
- 13.Chitra



14.Subathra

15.Baskar

16.Kaliyammal

17.Manimekalai

18.Kamalam

19.Mallika

20.Pushparani

21.Mallika

22.Manjula

23.P.Selvakumar

... Petitioners

Vs.

1. The District Collector,
O/o.The Collectorate,
Tiruchengodu Main Road,
Namakkal – 637 001.

2. The Revenue Divisional Officer,
Paramathi Velur Road,
Tiruchengodu,
Namakkal District – 637 211.

3. The Tahsildar,
Paramathi Velur Road,
Tiruchengodu,
Namakkal District – 637 211.



4. The Welfare Officer,
Adi-Dravidar and Tribal Welfare Department,
O/o. The Collectorate, Tiruchengodu Road,
Namakkal District – 637 001.

5. The Special Tahsildar,
Adi-Dravidar and Tribal Welfare Department,
O/o. The Collectorate, Tiruchengodu Road,
Namakkal District – 637 001.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue Writ of Certiorarified Mandamus, calling for the records to the impugned order passed by the 3rd respondent the welfare officer of the Adi-Dravidar and Tribal Welfare, Namakkal vide Lr.No.Na.Ka. No.29211/04/D2 dated 01.11.2007 to cancel the patta and quash the same order illegal and violation and consequently directing the respondents to consider the petitioner representation dated 06.08.2022, 28.11.2022 and 05.12.2022 to issue a fresh patta in favour of the petitioner and other petitioners.

For Petitioners : Mr.Anbalagan.G

For Respondents : Mr.D.Ravichander,
Special Government Pleader



ORDER

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The writ petition in W.P.No.17128 of 2023 has been filed against the proceedings dated 01.11.2007 issued by the 3rd respondent.

2. Based on the complaint, free patta granted to the Adi-Dravidar Community people had been cancelled through the impugned proceedings dated 01.11.2007. The petitioners are challenging the said cancellation order now, after a lapse of about 15½ years.

3. It is not made clear that whether the petitioners have preferred an appeal against the order of cancellation of free patta. Writ against an order passed in the year 2007 is directly hit by the principles of laches and if at all any grievance exists, the petitioners have to approach the competent authority in the manner contemplated. If there is a dispute regarding the title, then also the petitioners have to approach the competent Civil Court. However, writ proceedings instituted after a lapse of 15½ years from the date of passing of the proceedings cannot be entertained.



Accordingly, the writ petition in W.P.No.17128 of 2023 stands dismissed. Consequently, the connected miscellaneous petitions are closed.

No costs.

13.06.2023

skr

Index : Yes

Speaking order

Neutral Citation : Yes

To

1. The District Collector,
O/o.The Collectorate,
Tiruchengodu Main Road,
Namakkal – 637 001.
2. The Revenue Divisional Officer,
Paramathi Velur Road,
Tiruchengodu, Namakkal District – 637 211.
3. The Tahsildar,
Paramathi Velur Road,
Tiruchengodu, Namakkal District – 637 211.
4. The Welfare Officer,
Ado-Dravidar and Tribal Welfare Department,
O/o. The Collectorate, Tiruchengodu Road,
Namakkal District – 637 001.
5. The Special Tahsildar,
Adi-Dravidar and Tribal Welfare Department,
O/o. The Collectorate, Tiruchengodu Road,
Namakkal District – 637 001.



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S.M.SUBRAMANIAM, J.

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