



W.P.No.20653 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.07.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVU

W.P.No.20653 of 2023

Tamilselvan

.. Petitioner

Vs

The State, rep. by

- 1.The Principal Secretary,
Revenue Department,
St. George Fort,
Secretariat, Chennai – 600 009.
- 2.The Commissioner,
Land Administration,
Ezhilagam, Chempauk,
Chennai – 600 005.
- 3.The District Collector,
O/o District Collector Office,
Salem District.
- 4.The Commissioner,
Corporation of Salem,
Salem District.



W.P.No.20653 of 2023

5.The Revenue Divisional Officer,
O/o The Revenue Divisional Officer,
Salem District.

6.The Thashildar,
O/o Thashildar,
Hasthampatti Salem,
Salem District – 07.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus to direct the respondents to restore the land in Survey No.51, 64, 66, 102/11, 104/1, 104/2, 104/3, 104/4, 104/5, 104/6, 104/7, 104/8, 104/9, 104/10, 104/11. 99 situated at Thathampatti Village, Salem District which has been encroached by other than Scheduled Caste and handover the same to the poor Dalits in the light of G.O.Ms.No.357 dated 08.10.2015 issued by the first respondent pursuant to petitioner's representation dated 09.01.2023.

For the Petitioner : Mr.R.Thirumoorthy

For the Respondents : Mr.P.Muthukumar
State Government Pleader
assisted by
Mrs.R.Anitha
Spl. Government Pleader
for respondents 1 to 6



W.P.No.20653 of 2023

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ORDER

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

We have heard Mr.R.Thirumoorthy, learned counsel for the petitioner, and Mr.P.Muthukumar, learned State Government Pleader, assisted by Mrs.R.Anitha, learned Special Government Pleader for the respondents.

2. The grievance of the petitioner is that the lands, which are detailed in the writ petition to the extent of 16 acres, are allotted to the Schedule Caste and Scheduled Tribe people and the same are to be used for their welfare.

3. Learned counsel for the petitioner refers to the order passed by a Division Bench of this Court dated 12.08.2015 in W.P.No.24818 of 2015 (*Arungunam S.Vinayagam v. The State Government of Tamilnadu, rep. by its Chief Secretary/Vigilance Commissioner, St. George Fort, Secretariat, Chennai and others*) to suggest that this Court had directed constitution of a Committee to



W.P.No.20653 of 2023

verify the position of allotment of land in different Districts to ensure that the beneficiaries actually get the land. Pursuant thereto, the Government Order was issued on 8.10.2015 constituting the Committee.

4. The instructions of the learned State Government Pleader are otherwise.

5. The petitioner may approach the Committee constituted under the Government Order dated 8.10.2015 by making a comprehensive representation. If such comprehensive representation is made giving details of the land allotted to the SC/ST and the instances where they were dispossessed and/or those lands were occupied by the non-SC/ST, then the Committee constituted under the Government Order dated 8.10.2015 shall consider the same on its own merits and in accordance with law and take a decision, preferably within a period of nine months from the date of the representation made.



W.P.No.20653 of 2023

6. With the above observation, the writ petition is disposed of.

There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)

14.07.2023

Index : Yes/No
Neutral Citation : Yes/No
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To

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W.P.No.20653 of 2023

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W.P.No.20653 of 2023

14.07.2023