



WP(MD)No.15324 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP (MD) No.15324 of 2022

and

WMP (MD) Nos.10966 of 2022 and

WMP (MD) No.13424 of 2023

S.Sornam

... Petitioner

Vs

- 1.The Government of Tamil Nadu,
Represented by its Secretary,
Department of Adi-Dravidar Welfare,
Secretariat, Chennai - 600 009.
- 2.The District Collector,
Collectorate,
Tirunelveli District.
- 3.The District Adi-Dravidar and
Tribal Welfare Officer,
Office of the District Adi-Dravidar and
Tribal Welfare Officer,
Collector Office,
Tirunelveli.
- 4.The Special Tahsildar,
Office of the Special Tahsildar,
Adi-Dravidar Welfare Department,
Nanguneri,
Tirunelveli District.

... Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for a writ of mandamus forbearing the respondent Nos.1 to 4 from cancelling the allotment issued in favour of the petitioner and allotting the lands in S.Nos.1020/1, 1021/1, 1022/1, Pazhavor, Radhapuram Taluk, Tirunelveli District to ineligible persons or allotting the same for any other purpose within the time period stipulated by this Court.

For petitioner : Mr.S.Rajasekar

For Respondents: Ms.D.Farjana Ghousia,
Special Government Pleader

ORDER

The petitioner, who belongs to scheduled caste community has been assigned with the land with certain conditions. The respondents are now attempting to cancel the assignment. Therefore, this writ petition is filed for a writ of mandamus forbearing the respondents 1 to 4 from cancelling the allotment issued in favour of the petitioner.

2.The learned Special Government Pleader appearing for the respondents submits that the land



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has been allotted to the petitioner on 25.05.1998.

She ought to have constructed the house within a period of 10 years. However, so far she has not constructed any house as per the condition of the assignment. Therefore, the respondents have initiated proceedings to cancel the assignment.

3.The learned Counsel for the petitioner submits that the order of assignment was issued by mentioning several survey numbers without fixing the boundaries. Since specific boundaries for the petitioner's land were not fixed, they could not construct the house. The petitioner has requested the respondents to fix the boundaries. However, the respondents have not considered the same.

4.This Court considered the rival submission.

5.The petitioner claims that the boundaries have not been fixed for the petitioner's land and hence, she could not identify her land and construct the house. Therefore, this writ petition is disposed of



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with a direction to the petitioner to submit a representation to the 2nd respondent / the District Collector in this regard and the 2nd respondent shall ascertain whether the revenue officials have identified the petitioner's property and fixed the boundaries for the land and take a decision in tune with G.O(Ms)No.34 Revenue Disaster Management Department, Land Disposal Wing [LD3(1)] Section, dated 13.01.2021, within a period of six months from the date of receipt of the representation from the petitioner. No costs. Consequently connected miscellaneous petition is closed.

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Internet: Yes / No
Index : Yes / No
NCC : Yes / No

DSK



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To

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Secretariat, Chennai - 600 009.
- 2.The District Collector,
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- 3.The District Adi-Dravidar and
Tribal Welfare Officer,
Office of the District Adi-Dravidar and
Tribal Welfare Officer,
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Office of the Special Tahsildar,
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B . PUGALENDHI , J .

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