



W.P(MD)No.14898 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.06.2023

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.14898 of 2023

Mohana Sundaram

... Petitioner

Vs.

1.The District Collector,
Collectorate Campus,
Karur District,
Karur.

2.The Revenue Divisionl Officer,
Revenue Divisional Office,
Kulithalai,
Karur District.

3.The Tahsildar,
Taluk Office,
Kulithalai,
Karur District.

... Respondents

PRAYER :-

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the Respondents to allot the Government Poramboke land of bearing S.No.477/1, an extent of Hectares 00-Ares 69.50 situated at Porundhalur Village, Kulithalai Taluk, Karur District to the Petitioner under the Ex-Service man Category/quota for service rendered by him for the Nation.



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For Petitioner : Mr.R.Murugappan
Advocate.

For R1 to R3 : Mr.D.Farjana Ghoushia
Special Government Pleader

ORDER

The petitioner is an Ex-Serviceman. He participated in the Kargil War. He had served in the Indian Army for more than 16 ½ years. He retired from service on 28.02.2001. He had sought allotment of Government land under Ex-Service man category. He had given a representation to the first respondent / District Collector, Karur, on 12.05.2022 and again on 19.06.2022.

2. The petitioner claims that two separate tracts of land could be allotted to him. The first one is in Survey No.477/1 in land measuring 69.50 ares at Poranthalur Village, Kulithalai Taluk, Karur District. That is classified in the revenue records as 'தரிசு'. The second land, which the petitioner seeks allotment is a vacant land at Survey No.112/1A measuring 0.81 ares at Thogamalai Village, Kulithalai Taluk in Karur District. This land, in the revenue records is classified as Boomidhan lands.

3. Learned Special Government Pleader stated that the lands in Survey No.477/1 which had been classified as Tharisu, are to be allotted to Adi Dravidars.



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4. But the District Collector may take into consideration the fact that the petitioner was voluntarily prepared to give his life for the sake of our country. He had participated in the Kargil war. That fact cannot be denied or disputed. Some recognition must be given to him. To the knowledge of the petitioner, he had pointed out two separate lands. If there are any land available, the District Collector may make every effort to grant some portion of land for the petitioner, after following due rules and regulations and in accordance with law. If any of the aforementioned land can also be allotted, the District Collector may consider the representation given by the petitioner. At any rate, any decision of the District Collector must be taken only after issuing notice to the petitioner and giving the petitioner an opportunity of being heard. The said exercise by the District Collector, must be completed within a period of 12 weeks from the date of receipt of a copy of this order.

5. This Writ Petition is disposed of. No costs.

23.06.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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C.V.KARTHIKEYAN, J.

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To

- 1.The District Collector, Collectorate Campus, Karur District, Karur.
- 2.The Revenue Divisional Officer, Revenue Divisional Office,
Kulithalai, Karur District.
- 3.The Tahsildar, Taluk Office, Kulithalai, Karur District.

ORDER
IN

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