



W.P(MD)No.19261 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 24.07.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.19261 of 2015

and

M.P.(MD)No.1 of 2015

Kaleeswari

... Petitioner

Vs.

- 1.The District Collector,
Sivagangai.
- 2.The Special Tahsildar,
Adhi Dravidar and Tribunal Welfare,
Sivagangai.
- 3.The Welfare Officer,
District Adhi Dravidar and Tribunal Welfare,
Sivagangai.
- 4.The Special Revenue Inspector,
Adhi Dravidar Welfare,
Manamadurai.
- 5.Manimegalai Udhayaprakash
Panchayat Union Councilor,
Thirupuvanam Panchayat Union,
Konthagai,
Ilandhaikulam Panchayat,
Sivagangai District.



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6.Chandra

Konthagai Village,
Ilandhaikulam Panchayat,
Sivagangai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 1st respondent to take necessary action for handing over possession of the land to an extent of 0.02 acres comprised in S.Nos. 369/1A, 439/1, Konthagai Village, Konthagai Group, Manamadurai Taluk, Sivagangai District on the basis of the order dated 25/5/2012 in Na.Ka.No.A/161/1994 passed by the 2nd respondent.

For Petitioner : Mr.R.G.Shankar Ganesh

For Respondents : Mrs.K.Christy Theboral

Additional Government Pleader for R1 to R4

: no appearance for R5

ORDER

The petitioner was assigned two cents of land in the petition mentioned survey numbers. The proceedings had been initiated under the provisions of the Tamil Nadu Act 31 of 1978. The petitioner belongs to SC community. It is not enough if the authorities merely issue an order of assignment. It is also their duty to conduct survey and earmark the assigned land and hand over the same physically to the petitioner. I will not fault the respondents for



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the delay. The land owner appears to have entangled the department with one litigation after another. She even filed W.P.(MD)No.22059 of 2019 for return of the property. I had dismissed the writ petition today. Now, there is no other impediment. The respondents are therefore directed to earmark the assigned land and hand over the same to the petitioner. The entire exercise shall be completed within a period of four months from the date of receipt of a copy of this order.

2. The writ petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

24.07.2023

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

To

1.The District Collector,
Sivagangai.

2.The Special Tahsildar,
Adhi Dravidar and Tribunal Welfare,
Sivagangai.

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3.The Welfare Officer,
District Adhi Dravidar and Tribunal Welfare,
Sivagangai.

4.The Special Revenue Inspector,
Adhi Dravidar Welfare,
Manamadurai.

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