



W.P(MD)No.28663 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.12.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.28663 of 2023

Kamalakannan

... Petitioner

Vs.

1.The District Collector,
Sivagangai Collector Office,
Sivagangai District – 630 562.

2.The District Welfare Officer,
District Adi Thiravidar Welfare and Tribal Welfare Office,
Sivagangai District – 630 562.

3.The Special Tahsildar,
Adi Thiravidar Welfare Department,
Special Tahsildar Office,
Sivagangai District – 630 562.

4.The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai 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 2nd and 3rd respondents to complete the 3rd respondent's proceeding,



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vide Na.Ka.A2/502/2022, dated 14.07.2023, for Survey with demarcate the free Assignment Patta issued to the petitioner for the purpose of construct a House as per condition of Assignment Patta in Plot No.23 (Survey No.91/1A1A2), to an extent of 2 cents, Kottakudi Revenue Village, Sivagangai Taluk, Sivagangai District with based on the petitioner's representations 26.06.2023, 10.07.2023 and 20.11.2023, within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.R.Senthilkumar

For Respondents : Mr.V.Nirmal Kumar,
Government Advocate for R1 to R3.
Mr.A.Albert James,
Government Advocate for R4.

ORDER

Heard both sides.

2.The petitioner was allotted a plot of land vide proceedings dated 11.01.2023. The grievance of the petitioner is that the land has not been surveyed, demarcated and handed over. Only if such an exercise is carried out, the petitioner will be able to comply with the condition of construction within the time line.



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3.It appears that the earlier assignees are raising some obstructions.

I do not want to go into the said controversy. When a piece of land has been assigned in favour of the petitioner, it is the duty of the respondents to ensure that the petitioner is able to enjoy the fruits of the assignment. This exercise shall be completed by the respondents within a period of twelve weeks from the date of receipt of a copy of this order.

4.This writ petition is allowed accordingly. No costs.

07.12.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-

- 1.The District Collector,
Sivagangai Collector Office,
Sivagangai District – 630 562.
- 2.The District Welfare Officer,
District Adi Thiravidar Welfare and Tribal Welfare Office,
Sivagangai District – 630 562.
- 3.The Special Tahsildar,
Adi Thiravidar Welfare Department,
Special Tahsildar Office,
Sivagangai District – 630 562.

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4.The Superintendent of Police,
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