



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2024

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. No.8483 of 2024

Mr.M.Kaliya Perumal

... Petitioner

Vs.

1.The Additional District Collector,
Land Grabbing Department,
Collector Office, Tiruvallur.

2.The Managing Director,
Tamil Nadu Urban Habitat Development Board,
No.5, Kamarajar Salai, Chepauk,
Chennai – 600 005.

3.The Special Tahsildar (LA) CPCL,
Aromatic Complex, Saidapet,
Chennai – 600 015.

4.The Special Tahsildar,
Aromatic Complex,
St.Jones Road, Saidapet,
Chennai – 600 015.

5.The Revenue Divisional Officer,
Ambattur Division, Gandhi Nagar,
Anna Nagar West Extension,
Chennai – 600 040.



6.The Tahsildar,
Thiruvotriyur Taluk Office,
No.304/936, T.H.Road,
Ellaimman Koil Street,
Opposite to Tiruvottiyur Government Hospital,
Thiruvotriyur, Chennai – 600 019.

7.The Tahsildar,
Gandhi Main Road, Balaji, Puzhal,
Madhavaram, Chennai – 600 066.

8.The Tahsildar,
Ponneri Taluk Office,
NGO Nagar Extension,
Ponneri, Tiruvallur District,
Pincode – 601 204.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents herein to consider the petitioner's representations dated 11.12.2023 submitted to the respondents herein in pursuance of the reply of 2nd respondent dated 26.02.2022 vide Lr.Na.Ka.G1/12745/2021 and reply of 2nd respondent dated 29.09.2022 vide Na.Ka.No.A1/814/Ko-1/2019 and reply letter of Revenue Inspector of Red Hills, Firka, Madhavaram Taluk dated 03.02.2011 in respect of the petitioner's several representations on various dates and pass favourable orders for alternate arrangements to the people of 970 families living below the poverty line belong to Schedule Caste, Schedule Tribe, Most Backward Class and Backward Class were resided in the Arasu Meikkal Poramboke Nilam – Government Grazing lands comprised in Survey No.198, 191, Manali Mathur Village.



For Petitioner : Mr.K.Bommuraj
For R1, R3 to R8 : Mr.U.Baranidharan
Additional Government Pleader
For R2 : Mrs.K.Indhumathy Venkatesan
Standing Counsel for TNUHDB

ORDER

The writ on hand has been instituted to direct the respondents to consider the representation submitted by the writ petitioner on 11.12.2023, based on the reply given by the 2nd respondent dated 26.02.2022, 29.09.2022 and reply letter of Revenue Inspector of Red Hills, Madhavaram Taluk dated 03.02.2011.

2 Mr.K.Bommuraj, learned Counsel appearing on behalf of the petitioner made a submission that the petitioner was an encroacher and he was evicted by the respondents in the year 1992. Several representations have been submitted by the petitioner, however, no action was taken by the Authorities. Thus, the present writ petition came to be instituted.

3. Admittedly, the petitioner along with other encroachers were evicted in the year 1992. Almost 32 years lapsed. It at all the petitioner is a



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homeless poor person, he has to submit an application under the Government Schemes for allotment of tenements. However, this Court cannot consider the claim of the petitioner at this length of time for allotting the tenements. The petitioner has to submit a fresh application based on his eligibility and the Authorities may consider based on the eligibility and subject to the terms and conditions under the statutes and Rules in force. In the event of any such proposal for allotment of tenement, the eligible persons have to pay the beneficial charges as applicable under the Scheme. It is needless to state that in the event of considering the case of the petitioner, they are bound to comply with the terms and conditions and pay the beneficial charges as applicable.

4. With these observations, the writ petition stands **disposed of**.

No costs.

01.04.2024

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

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