



W.P.No.6714 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 28.03.2024

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

W.P.No.6714 of 2024

and

W.M.P.Nos.7472 & 7473 of 2024

V.Kannan

... Petitioner

Vs,

1. The Secretary,
Backward and Most Backward Classes Welfare Department,
Government of Tamil Nadu,
Fort St.George,
Chennai-600 009.
- 2 The District Collector,
Cuddalore District,
District Collectorate Building,
Cuddalore.
- 3 The District Revenue Officer,
Cuddalore District,
District Collectorate Building,
Cuddalore.



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4 The Special Tahsildar (ADI)
Aadhi Dravidar Welfare Department,
Virudhachalam Taluk Office,
Virudhachalam Taluk,
Cuddalore District.

5 The Municipal Commissioner,
Virudachalam Municipality,
Virudhachalam Taluk,
Cuddalore District.

6 Chinnapillai

7 Soundhiravalli

8 Usha

9 Subramani

10 Neelakandan

11 Prakash

12 Vijayalakshmi

13 Saraswathi

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the order dated 14.02.2023 passed by the 4th respondent in J5 / 144903 / 85 thereby allotting free house sites to the respondents 6 to 13 herein who are not belonging to Dhobi or Barber Community which is in violation of the Notification dated 31.10.1990 published in Tamil Nadu Gazette in Letter No. 15476 / BC.II / 90-1 Backward Classes and Most Backward Classes Welfare with respect to the Lands situated at Kandiyangkuppam Village, Virudachalam Taluk, Cuddalore District Comprised in S.Nos. 72 / 2C, 72/3B, 72/3D, 72/6A, 72/6B, 72/6C1 and 72/6C2 measuring an extent of 2 acres 60 cents (1.04.0 hectare) and quash the same and further direct the respondents herein to allot free house sites to the landless, poor people belonging to Dhobi and Barber community living in and around Virudhachalam Taluk, Cuddalore District including the petitioner who is already identified for the said purpose as per the Notification dated 31.10.1990 published in Tamilnadu Gazette in Letter No.15476/BC.II/90-1, Backward Classes and Most Backward Classes Welfare.



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For Petitioner : Mr.T.L.Thirumalaisamy

For R1 to R5 : Mr.T.Arunkumar

Additinal Government Pleader

ORDER

This Writ Petition has been filed to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the order dated 14.02.2023 passed by the fourth respondent in J5 / 144903 / 85 thereby allotting free house sites to the respondents 6 to 13 herein, who are not belonging to Dhobi or Barber Community which is violation of the Notification dated 31.10.1990 published in Tamil Nadu Gazette in Letter No. 15476 / BC.II / 90-1 Backward Classes and Most Backward Classes Welfare with respect to the Lands situated at Kandiyangkuppam Village, Virudachalam Taluk, Cuddalore District Comprised in S.Nos. 72 / 2C, 72/3B, 72/3D, 72/6A, 72/6B, 72/6C1 and 72/6C2 measuring an extent of 2 acres 60 cents (1.04.0 hectare) and to quash the same and further to direct the respondents herein to allot free house sites to the landless, poor people belonging to Dhobi and Barber community living in and around Virudhachalam Taluk, Cuddalore District including the petitioner who is already identified for the said purpose as per the Notification dated 31.10.1990 published in Tamilnadu Gazette in Letter No.15476/BC.II/90-1, Backward Classes and Most Backward Classes Welfare.



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2. Heard the learned counsel appearing for the petitioner and the learned Additinal Government Pleader appearing for the official respondents and perused the materials available on record.

3. Since no adverse order is passed against the private respondents, notice to the private respondents/R6 to R13 is dispensed with.

4. The petitioner has filed the present writ petition challenging the order passed by the respondents stating that the respondents have allotted free house sites to the beneficiaries who do not belong to the earmarked community people as per the G.O. Further in the ground 'D' raised by the petitioner itself, he has clearly stated that free house sites have been allotted to the private respondents who belong to Isai Vellalar community, whereas per G.O, the beneficiary should be Dhobi and Barber. Unfortunately, neither the petitioner nor the counsel for the petitioner understand that barber and Isai vellalar are one and the same community. G.O is very clear that the land has been earmarked only for dhobi and barber community people. Subsequently, the officials have identified the beneficiaries within the community earmarked in the G.O and allotted the



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same. Therefore, there is no violation of G.O. Hence, the petitioner has no cause of action to file the present writ petition.

5. In view of the above, the Writ Petition is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

28.03.2024

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Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No

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