



W.P. No.7469 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.7469 of 2024 and

W.M.P.No.8359 of 2024

1.T.C.Shrinivaasan

2. A.G.Padmasini

... Petitioners

Vs.

1. The District Collector
Kanchipuram District

2. The Tahsildar
Kanchipuram District

3. The Special Tahsildar
Adi-Dravida Welfare Scheme
Kanchipuram

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 1 and 2 herein to demarcate and sub divide the petitioners land in S.No.99/2A1 to an extent of 0.18 cents situated at Sirukaveripakkam Village, Kanchipuram Taluk and District and consequently direct the 2nd respondent herein to mutate the Patta to the extent of 18 cents in the name of the petitioners herein by considering their representation dated 27.05.2023.



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For Petitioners : Mr.S.Parthasarathy, Senior Advocate
for Mr.S.Victor Prasath

For Respondents : Mr.T.Arun Kumar
Additional Government Pleader

ORDER

This Writ Petition is filed seeking to issue a Writ of Mandamus directing the respondents 1 and 2 herein to demarcate and subdivide the petitioners' land in S.No.99/2A1 to an extent of 0.18 cents situated at Sirukaveripakkam Village, Kanchipuram Taluk and District and consequently direct the 2nd respondent herein to mutate the Patta to the extent of 18 cents in the name of the petitioners herein by considering their representation dated 27.05.2023.

2. The learned Senior Counsel for the petitioners submitted that out of 2.46 Acres, a larger extent of land i.e. 1.98 Acres belongs to the petitioners was sold the Government for Adi-Dravidar Welfare Department and the petitioners retained 0.18 cents with them. Thereafter, when the



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petitioners were taking steps to sell the remaining 0.18 cents, they were shocked to find out that for the whole extent of 2.16 Acres which Patta was originally stood in the petitioners name, had been converted into Government Poramboke. Since the 0.18 cents which was retained by the petitioners was also shown as a Government Poramboke, the petitioners made a representation to respondents 1 and 2 herein on 09.08.2022 to rectify the mistake done by them. Since no action was taken, they made another representation on 20.09.2022. However, the respondents did not head to the petitioners requestion. Again on 27.05.2023 and 12.10.2023, they made representations. But sofar, the respondents have not taken any action to rectify the same and passed orders. Hence the present Writ Petition is filed.

3. Mr.T.Arun Kumar, learned Additional Government Pleader who takes notice for the respondents submitted that the petitioners had sent only legal notice and it was not a representation.



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4. At this juncture, the learned Senior Counsel for the petitioners submitted that the petitioners had made several representations to the respondents 1 and 2 and since they did not consider the same, the petitioners were constrained to issue legal notice on 14.10.2023.

5. Having regard to the submissions made by the learned counsel on either side and since this Writ Petition is filed seeking a simple Writ of Mandamus to consider the representation, this Court without expressing any opinion with regard to the merits of the case, directs the 1st respondent to consider the petitioners representation as stated above and issue notice to the petitioners, 3rd respondent herein, interested parties/rival claimants/objectors if any as the case may be and also to the beneficiaries in case the land was already allotted to any beneficiaries and after issuing notice, conduct enquiry in the manner known to law and pass orders on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order.



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6. With the above directions, this Writ Petition is disposed of at the admission stage itself. No costs.

7. The connected Miscellaneous Petition is ordered subject to payment of separate Court fee by each of the Writ Petitioners.

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Index : Yes / No
Speaking Order : Yes / No
Neutral Case Citation : Yes/No

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To

1. The District Collector
Kanchipuram District
2. The Tahsildar
Kanchipuram District
3. The Special Tahsildar
Adi-dravida Welfare Scheme
Kanchipuram



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P.VELMURUGAN. J.

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