



WEB COPY



W.P.No.22312 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2024

CORAM :  
THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

**Writ Petition No.22312 of 2018**

- 1.Vimala Balakrishnan
- 2.Elizabeth Rani
- 3.Mariappan
- 4.Elumalai
- 5.Lakshmi

... Petitioners

Vs.

- 1.The Government of Tamil Nadu,  
Rep. by the Secretary to Government,  
Revenue Department,  
Fort St.George,  
Chennai – 600 009.
- 2.The Under Secretary to Government,  
Adi Dravidar and Tribal Welfare Department,  
Secretariat, Fort St.George,  
Chennai – 600 009.
- 3.The District Collector,  
Kancheepuram,  
Kancheepuram District.
- 4.The Director,  
District Adi-Dravidar and Tribal  
Welfare Department,



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Kancheepuram,  
Kancheepuram District.

5.The Tahsildar,  
Chengelpet Taluk,  
Kancheepuram District.

6.The Special Officer,  
Kumizhi Panchayat,  
Kannivakkam Post, Chengelpet Taluk,  
Kancheepuram District.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the respondents herein to consider their representation dated 19.07.2018.

For Petitioners : M/s.U.Indumathi Uthaya Kumar

For Respondents 1 to 6 : Mr.K.Suresh,  
Government Advocate

### **ORDER**

The petitioner has filed this petition seeking direction to the respondents herein to consider their representation dated 19.07.2018.

2. The case of the petitioners is that they are the resident of J.J.Nagar, Mettupalayam Village, Kumizhi Panchayat, Kannivakkam Post, Chengelpet Taluk, Kancheepuram District. In the year 2010, the Kumizhi Panchayat Board has passed a resolution unanimously recognizing Survey No.310/1 in



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J.J.Nagar as a residential colony and further recommended to the third respondent that the Panchayat Board does not have any objection for declaring the land as residential colony. Thereafter, the panchayat has also laid roads, provided water & street light facilities.

2.1. This being so, on 20.11.2017, the third respondent through fifth respondent has issued a house site surrender order (Namuna) vide proceeding Na.Ka.No.18153/2017/A1, dated 20.11.2017 to all the residents in Survey No.310/1 of J.J.Nagar, without considering the fact that the petitioners are having revenue documents such as House Tax, Ration Card, Voter Id and Aadhaar Card in the said address and they are living in the said locality for about 40 years. Thus, the petitioners have sent a representation dated 19.07.2018 to the respondents to permit them to continue in the aforesaid Survey No.310/1 of J.J.Nagar. However, no action has been taken by the respondents. Hence, the petitioners have come forward with the present writ petition.

3. Though very many grounds have been raised in this writ petition, learned counsel for the petitioners submitted that it would suffice, if this



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Court issues direction to the respondents to consider the petitioners' representation dated 19.07.2018, within a time frame to be fixed by this Court.

4. Learned Government Advocate appearing for the respondents has no objection for the said order being passed by this Court.

5. Heard the learned counsel on either side and perused the materials available on record.

6. Considering the limited prayer sought for by the learned counsel for the petitioner, this Court without going into the merits of the case, directs the respondents to consider the petitioners' representation dated 19.07.2018 and pass appropriate orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

7. This Writ Petition is disposed of with the aforesaid observation and directions. No costs.

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

To:

- 1.The Government of Tamil Nadu,  
Revenue Department,  
Fort St.George,  
Chennai – 600 009.
- 2.The Under Secretary to Government,  
Adi Dravidar and Tribal Welfare Department,  
Secretariat, Fort St.George,  
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- 3.The District Collector,  
Kancheepuram,  
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- 4.The Director,  
District Adi-Dravidar and Tribal  
Welfare Department,  
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- 5.The Tahsildar,  
Chengelpet Taluk,  
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**J.SATHYA NARAYANA PRASAD,J.**

vm

6.The Special Officer,  
Kumizhi Panchayat,  
Kannivakkam Post, Chengelpet Taluk,  
Kancheepuram District.

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