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W.P.No.25059 of 2024.

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED :30.08.2024**

**CORAM**

**THE HONOURABLE MR. JUSTICE S.SOUNTHAR**

**W.P No.25059 of 2024**

Dhanasekaran

..Petitioner

Vs.

1. The State rep by  
The Secretary to Government  
Adidraavidar & Tribal Welfare Department  
Secretariat  
Chennai 600 009.
2. The District Collector  
Salem District,  
Salem - 636 001.
3. The Revenue Divisional Officer  
Attur Taluk  
Salem District 636 102
4. The District Adidraavidar Welfare Officer  
Collectorate Campus  
Salem 636 001
5. The Special Thasildar for Adi Dravidar Welfare  
Attur Taluk  
Salem District 636 102.



W.P.No.25059 of 2024.

6. The Block Development Officer  
Attur Panchayat Union  
Attur Taluk  
Salem District 636 102.

7. The Panchayat President  
Pungavadi Village  
Attur Taluk  
Salem District 636 141.

...Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, forbearing the respondents from digging borewell, fixing fencing or any other works in the petitioners property comprising in S.Nos.106/4, 106/12, 106/13, 106/14, 106/15, 106/16/ 106/17, 106/18 measuring acre 2.03 cents situated at Pungavadi village, Attur Taluk, salem District in the pendency of the Petitioners claim before the government very particularly in Adi Dravidar Welfare Department with respect to take back the land based on the petitioners representation dated 29.04.2024.

|                |                                                  |
|----------------|--------------------------------------------------|
| For Petitioner | : Mr. S.Vinodha                                  |
| For R1 to R5   | : Mr.Arasakumar<br>Government Advocate           |
| For R6 and R7  | : E.Vijay Anand<br>Additional Government Pleader |



W.P.No.25059 of 2024.

## **ORDER**

WEB COPY

The petitioner herein seeks issuance of a writ of mandamus forbearing the respondents from digging bore well, fencing and any other works in the property situated in S.Nos.106/4, 106/12, 106/13, 106/14, 106/15, 106/16/106/17, 106/18 measuring an extent of 2.03 acre at Pungavadi village, Attur Taluk, Salem District pending consideration of petitioner's representation dated 27.04.2024.

2. According to the petitioner, the above mentioned property was his father's ancestral property and the same was acquired for providing house sites to depressed classes of people in the year 1997. However, till date the property has not been utilised for the purpose of which it was acquired and the same is lying as a vacant land. Therefore, the petitioner submitted a representation to the respondents seeking re-conveyance of the land to the petitioner taking into considering his indigent circumstances. In the meantime, the respondents are making attempt to dig bore well in the above mentioned land. Therefore, the petitioner has come by way of this writ petition.



W.P.No.25059 of 2024.

WEB COPY

3. The learned counsel for the petitioner submitted that when the representation of the petitioner seeking re-conveyance of the land is pending, the respondents are not entitled to undertake any work in the above mentioned land.

4. It is not in dispute that the land belonged to petitioner's father was acquired for providing house sites to the depressed classes in the year 1997 itself. Therefore, as on today, the petitioner has no interest over the same. Merely because the petitioner's representation seeking re-conveyance is pending before the respondents, the petitioner is not entitled to seek any order restraining the respondents from undertaking any works in the above said land which was already acquired. Therefore, this Court is not inclined to accept the submission made by the learned counsel for the petitioner. However, without going into the merits of the claim made by the petitioner, the 1<sup>st</sup> respondent is directed to consider the representation of the petitioner dated 27.04.2024 and pass final orders on its' own merits within a period twelve weeks from the date of receipt of copy of this order.



W.P.No.25059 of 2024.

WEB COPY

5. With the above directions, this writ petition is disposed of. No costs.

**30.08.2024**

Index : Yes/No  
Internet : Yes/No  
Speaking Order/Non-Speaking Order  
Neutral Citation Case : Yes/No  
nr

To

1. The Secretary to Government  
Adidraavidar & Tribal Welfare Department  
Secretariat  
Chennai 600 009.
2. The District Collector  
Salem District, Salem - 636 001.
3. The Revenue Divisional Officer  
Attur Taluk  
Salem District 636 102
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5/6



WEB COPY



W.P.No.25059 of 2024.

**S.SOUNTHAR, J.**

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**W.P No.25059 of 2024**

**30.08.2024**