



W.P.No.29807 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2024

CORAM

THE HON'BLE **MS.JUSTICE P.T.ASHA**

W.P.No.29807 of 2024

and

W.M.P.Nos.32503 and 32504 of 2024

Sasikala

... Petitioner

Vs.

1. The District Collector,
Salem District,
Salem.
2. The District Revenue Officer,
Salem District,
Salem – 636 001.
3. The District Adi Dravidar Welfare Officer,
Salem District,
Salem.
4. The Revenue Divisional Officer,
Attur,
Salem District – 636 102.
5. The Tahsildar,
Attur Taluk,
Salem District – 636 102.



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6. The Special Tahsildar,
Adi Dravidar Welfar Department,
Attur,
Salem District – 636 102.

7. The Revenue Inspector,
Adi Dravidar Welfare Department,
Attur – 636 102,
Salem District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Certiorarified Mandamus to call for the records of the impugned notice in Na.Ka.No.417/2024/T dated 20.08.2024 passed by the 6th Respondent and quash the same and consequently to direct the Respondents to restore the patta in the name of the Petitioner considering that she belongs to poor landless scheduled caste person and constructed the house with hard earned money, funded by the State Government Scheme and loan obtained from the petitioner's relatives based on the petitioner's representation dated 31.08.2024.

For Petitioner : Mr.V.R.Anna Gandhi
for M/s.S.Vinodha

For Respondents : Mr.A.Selvendran
Special Government Pleader



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ORDER

This Writ Petition has been filed for a Certiorarified Mandamus to call for the records of the impugned notice in Na.Ka.No.417/2024/T dated 20.08.2024 passed by the 6th Respondent and quash the same and consequently to direct the Respondents to restore the patta in the name of the Petitioner considering that she is a poor landless scheduled caste person who had constructed the house with her hard earned money, funded by the State Government Scheme and loan obtained from the petitioner's relatives based on the petitioner's representation dated 31.08.2024.

2. On an earlier occasion, a statement was made that a letter had been received by the learned Special Government Pleader for the respondents stating that the petitioner has not engaged any one to file the Writ Petition. Therefore, she was directed to appear before this Court. The said petitioner namely Sasikala, wife of Sathiyamoorthi appeared before this Court and her credentials were checked with Aadhar Card. The Court had directed that the letter be read over and she be informed as to whether she has issued such letter. She has categorically stated that no such letter has been issued by her as she only wants Patta. Therefore, the Court proceeded to hear the counsels.



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3. Perusal of the Impugned Order clearly shows that the Impugned Order has been passed without issuing notice to the petitioner. Further, no reasons have been given as to violation of the assignment condition. Therefore, the Writ Petition is allowed. Accordingly, the Impugned Order dated 20.08.2024 is set aside with a direction to the Respondents to restore the Patta back to the petitioner within a period of six (6) weeks from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petitions are closed.

20.11.2024

Index : Yes/No
Speaking/Non-speaking Order
Neutral Citation :Yes/No
rgm



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P.T.ASHA, J.

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