



WP.No.38369 of 2024

In the High Court of Judicature at Madras

Dated : 21.12.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.38369 of 2024

Abirami

...Petitioner

Vs

1.The Government of Tamil Nadu
Rep. By Secretary to Government
Department of Adi Dravidar &
Tribal Welfare, Fort St. George,
Chennai-9.

2.The District Collector
Salem District.

3.The District Revenue Officer
Salem District.

4.The Revenue Divisional Officer
Salem District.

5.The District Adi Dravidar &
Tribal Welfare Officer
Salem District.

6.The Special Tahsildar
Department of Adi Dravidar
Welfare, Gengavalli Taluk,
Salem District.

...Respondents

PETITION under Article 226 of The Constitution of India praying
for the issuance of a Writ of Mandamus directing the 2nd, 5th and 6th



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respondents herein to consider grievance day petition of the petitioner dated 21.10.2024 and the petitioner's representation dated 26.11.2024 and consequentially direct the respondents to grant free house site patta under the welfare scheme of the Department of Adi Dravidar and Tribal Welfare, Government of Tamilnadu to the petitioner for the petitioner's house bearing No.386/4, 1st Street Kattukottai South in 3 cents of land comprised in Survey No.349/6 of Thammampatti Village, Gengavalli Taluk, Salem District, within the time frame fixed by this Court.

For Petitioner : Mr.S.Senthilnathan
For Respondents : Mr.P.Sathish, AGP

ORDER

Seeking a direction to respondents 2, 5 and 6 to consider her representations dated 21.10.2024 and 26.11.2024 for the grant of a free house site patta in respect of the property measuring 3 cents in Survey No.349/6 of Thammampatti Village, Gengavalli Taluk, Salem District under the welfare scheme of the Department of Adi Dravidar and Tribal Welfare, Government of Tamilnadu, the petitioner is before this Court.



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2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader accepting notice for the respondents.

3. The case of the petitioner is as follows :

(i) For the past more than 20 years, the petitioner has been living in Thammampatti Village along with more than 30 families. She is a house wife and her husband is working as agricultural coolie. With their meagre income, they managed to put up a small house in the subject property. The land, over which, the house has been constructed by the petitioner, belongs to the Adi Dravidar Welfare Department, Government of Tamil Nadu. Hence, the petitioner made a request to the second respondent on 21.10.2024 and to respondents 2, 5 and 6 on 26.11.2024 to issue a free house site patta since she is not owning any other properties. That apart, her annual income is less than Rs.72,000/-.

(ii) According to the petitioner, she is qualified for the issuance of a free house site patta in respect of the subject property, which she is already in possession. Since her request has not been processed, the petitioner has approached this Court by filing this writ petition.



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4. On hearing the learned counsel on either side and perusing the records, it is seen that the petitioner is seeking to issue patta in respect of the subject property, in which, she is already in occupation for over 20 years.

5. Accordingly, the writ petition is allowed and a Mandamus is issued to the second respondent to consider the petitioner's representations dated 21.10.2024 and 26.11.2024 keeping in mind the fact that she is in occupation of the subject property for over 20 years. This exercise shall be completed after issuing notice to the petitioner and giving her an opportunity to put forth her case within a period of three months from the date of receipt of a copy of this order.

21.12.2024

Index : Yes (or) No
Neutral Citation : Yes (or) No

To

1. The Secretary to Government of Tamil Nadu
Department of Adi Dravidar & Tribal Welfare
Fort St. George, Chennai 600 009.
2. The District Collector, Salem District.
3. The District Revenue Officer
Salem District.



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4. The Revenue Divisional Officer
Salem District.
5. The District Adi Dravidar & Tribal
Welfare Officer, Salem District.
6. The Special Tahsildar
Department of Adi Dravidar Welfare
Gengavalli Taluk, Salem District.

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P.T.ASHA,J

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