



W.P.(MD).No.354 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.01.2024

CORAM:

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.(MD).No.354 of 2024

Manokaran

... Petitioner

vs.

- 1.The Government of Tamilnadu,
represented by its Principal Secretary,
Adi Dravidar Welfare Department,
Secretariat, Fort St.George,
Chennai – 9.
- 2.The District Collector,
Office of the District Collectorate Office,
Ramanathapuram District.
- 3.The District Adi Dravidar Welfare Officer,
Office of the Adi Diravidar Welfare Department,
District Collectorate Office,
Ramanathapuram District.
- 4.The Tahsildhar,
Paramakudi Taluk Office,
Paramakudi Taluk,
Ramanathapuram District.
- 5.The Special Tahsildar,
Adi Diravidar Welfare Department,
Paramakudi Taluk Office,
Paramakudi Taluk,
Ramanathapuram District.

... Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondents 4 and 5 to demarcate the land situated in Survey Nos.284/1, 285/1A, 285/14, 285/1C, 285/2 and 285/5 to an extent of 3 cents which allotted by the petitioner situated at Kamuthakudi Village, Kamuthakudi Group, Paramakudi Taluk, Ramanathapuram District, based on the petitioner's legal notice dated 19.10.2023 within a time frame as fixed by this Court.

For Petitioner	: Mr.K.Yasar Arafath
For R1 to R5	: Mrs.K.Christy Theboral Additional Government Pleader

ORDER

This writ petition has been filed for issuance of a writ of Mandamus, directing the respondents 4 and 5 to demarcate the land situated in Survey Nos.284/1, 285/1A, 285/14, 285/1C, 285/2 and 285/5 to an extent of 3 cents situated at Kamuthakudi Village, Kamuthakudi Group, Paramakudi Taluk, Ramanathapuram District, based on the petitioner's legal notice dated 19.10.2023.

2. By consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.



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3. According to the petitioner, he belongs to Adi Dravidar community and the land in Survey Nos.284/1, 285/1A, 285/14, 285/1C, 285/2 and 285/5 to an extent of 4.07.5 hectares situated at Kamuthakudi Village, Kamuthakudi Group, Paramakudi Taluk, Ramanathapuram District were acquired by the Government, for the purpose of providing free house site patta to Adi Dravidar community people. The petitioner has applied for free house site patta and he has been allotted Plot No.12 to an extent of 3 cents and the fifth respondent has issued assignment order in favour of the petitioner. Thereafter, he has approached the respondents 4 and 5 to survey and demarcate the land. But the fifth respondent has not taken any steps to survey the said land. Therefore, on 27.12.2016, he has sent a representation to the fifth respondent. But the fifth respondent has failed to consider the same. Hence, he has sent a legal notice to the respondents 2 to 5 on 19.10.2023. After receiving the said notice, they have not taken any steps to demarcate the land till date. Therefore, the petitioner has filed the present writ petition.

4. The learned Additional Government Pleader appearing for the respondents would submit that the lands in Survey Nos.284/1 and



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285/1A were allotted to Adi Dravidar community people and since they have not constructed the house in the said survey numbers and there was no document available regarding the assignment, the said beneficiaries were directed to approach the authorities in person and file an application for patta change. Since the beneficiaries were not come forward to file an application, again 145 new beneficiaries were selected and E - Pattas were issued to them. He would further submit that the petitioner has approached the authorities and filed an application on 19.10.2023, stating that they will follow the assignment order and construct the house and the said application was sent to the Tahsildar, Paramakudi by the Special Tahsildar, Paramarkudi and appropriate action would be taken on the said application.

5. In view of the above said submissions, this Court directs the respondents 4 and 5 to consider the petitioner's application dated 19.10.2023 and pass appropriate orders, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. It is made clear that after assigning the lands to the beneficiaries, the authorities are directed to measure it and hand it over to the beneficiaries without fail, to enable them to construct the house as



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per the assignment order and when they have cancelled the original allotment, they ought to have given notice to the parties concerned.

6. With the above direction, this Writ Petition is disposed of. No costs.

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akv

To

- 1.The Principal Secretary,
Adi Dravidar Welfare Department,
Secretariat, Fort St.George,
Chennai – 9.
- 2.The District Collector,
Office of the District Collectorate Office,
Ramanathapuram District.
- 3.The District Adi Dravidar Welfare Officer,
Office of the Adi Diravidar Welfare Department,
District Collectorate Office,
Ramanathapuram District.
- 4.The Tahsildhar,
Paramakudi Taluk Office,
Paramakudi Taluk,
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5. The Special Tahsildar,
Adi Diravidar Welfare Department,
Paramakudi Taluk Office,
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