



W.P(MD)No.10802 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 05.06.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

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- 1.G.Muthuraja
- 2.Panja
- 3.V.Dheivakannan
- 4.N.Ganesan
- 5.G.Ravikumar
- 6.A.Panjavarnam
- 7.B.Raja
- 8.C.Moorthy
- 9.R.Deepika
- 10.V.Thavamani
- 11.V.Chinnaponnu
- 12.K.Palpandi
- 13.R.Backiyam
- 14.S.Muneeswari
- 15.T.Muthupandi



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16.P.Mayakrishnan

17.M.Muthuraja

18.K.Pandiayammal

19.K.Arulbass

20.K.Kannan

21.P.Muthuraja

22.M.Karuthapandi

23.S.Muthukalai

24.P.Maharajan

25.A.Muthulingam

26.M.Suseela

27.M.Thirupathi

28.S.Vijaya

29.P.Sandhanam

30.A.Neelamegam

31.P.Muthupandi

32.P.Jeyamurugan

33.S.Chinnavalli

34.B.Vetriselvi

35.K.Kannan



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36.P.Karupaiah

37.V.Sundharam

38.A.Dhanaraja

39.M.Vannamalar

40.B.Bhuvaneshwari

41.N.Ganesan

42.M.Palanikumar

43.K.Sundari

44.M.Dhanapandi

45.S.Anitha

46.K.Muthaiah

47.G.Ramkumar

48.P.Natchiyammal

49.T.Meenakshi

50.K.Kotaisamy

51.A.Muthaiah

52.P.Pandiyammal

53.M.Velmurugan

54.V.Jeyarani

55.P.Muniyandi



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56.P.Manimegalai

57.K.Malarkodi

58.Muneeswaran

59.P.Perumal

60.P.Jothimani

61.A.Velupandi

62.A.Pandimurugan

63.A.Malaisamy

64.A.Malar

65.E.Balamurugan

66.A.Muniyappan

67.M.Muthukumar

68.V.Murugalakshmi

69.A.Alagar

... Petitioners

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The District Adi Dravidar Welfare Officer,
Madurai District,
Madurai.



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3.The Tahsildar,
Madurai West Taluk,
Madurai District.

4.The President,
Melakuyilkudi Panchayat,
Nagamalai,
Madurai District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 29.01.2024 and to issue free house site patta to the petitioner's in the land comprised in Survey No.98/1 situated at Melakuyilkudi Village, Nagamalai, Madurai District within a stipulated time frame.

For Petitioner : Mr.A.Jayaramachandran
For Respondents : Mr.G.V.Vairam Santhosh
Additional Government Pleader

ORDER

Heard both sides.

2.The petitioners belong to Scheduled Caste community. The petitioners applied to the respondents for assignment of free house site patta in their favour in the petition mentioned land. The Tahsildar,



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Madurai West Taluk had taken the stand that since one Pichaiammal, W/o.Ganesan has filed O.S.No.566 of 2008 before Thirumangalam civil Court, the petitioners request cannot be considered.

3.Of course, any assignment will abide by the outcome of the civil suit. But so long as there is no restraint order tying the hands of the authority, there cannot be any illegal impediment for considering the petitioners' request.

4.I therefore direct the third respondent to consider the petitioners' request and pass order on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. I make it clear that pendency of the suit will not come in the way of considering the petitioners' request. I am issuing this direction in view of the specific stand of the respondents that possession is with the Government. Since in the communication dated 01.06.2024 there is reference to the filing of the suit any order that may be passed by the third respondent will be formally intimated to the said Pitchaiammal also.



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5. With this direction to the third respondent, this writ petition is

disposed of. There shall be no order as to costs.

05.06.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
MGA

To

1. The District Collector,
Madurai District,
Madurai.
2. The District Adi Dravidar Welfare Officer,
Madurai District,
Madurai.
3. The Tahsildar,
Madurai West Taluk,
Madurai District.
4. The President,
Melakuyilkudi Panchayat,
Nagamalai,
Madurai District.



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