



W.P.(MD)No.5990 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.09.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD)No.5990 of 2019

A.Muthu Pandi

... Petitioner

-VS-

- 1.State of Tamil Nadu Represented by,
The Principal Secretary,
State of Tamil Nadu,
Adi Dravidar and Tribal welfare Department,
Fort St. George, Chennai.
- 2.The Director of Adi Dravidar and Tribal Welfare,
State of Tamil Nadu,
Chepauk,
Chennai.
- 3.The District Collector,
Office of the District Collector,
Madurai District.
- 4.The District Revenue Officer,
Melur Revenue Subdivision,
Madurai District.
- 5.The Revenue Divisional Officer,
Melur Revenue Sub Division,
Othakadai, Madurai District.
- 6.The Tahsildar,
Madurai East Taluk,
Othakadai, Madurai District.



W.P.(MD)No.5990 of 2019

7.The Special Tahsildar(Unit II),
Adi Dravidar Welfare,
District Collector Office Campus,
Madurai District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus to direct the respondents to Survey No.112/2A, 2B (Old Survey No.260/2A, 2B) at Theerthakadu (Vandiyur Bit II village), Madurai District and handed over the physical possession of the land to the 349 beneficiaries, who belongs to Scheduled Caste Community within the time stipulated by this Hon'ble Court.

For Petitioner : Mr.R. Alagumani

For Respondents : Mr.P. Veera Kathiravan,
Additional Advocate General
Assisted by
Mr.P.Thilak Kumar,
Government Pleader

ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

The prayer in the writ petition reads as follows:

“To issue a Writ of Mandamus to direct the respondents to Survey No.112/2A, 2B (Old Survey No.260/2A, 2B) at Theerthakadu (Vandiyur Bit II village), Madurai District and handed over the physical possession of the land to the 349 beneficiaries, who belongs to Scheduled Caste Community within the time stipulated by this Hon'ble Court.”



W.P.(MD)No.5990 of 2019

2.The Special Tahsildar, Adi Dravidar Welfare, Unit II, Madurai-20, has filed a status report. A perusal of the same, shows that the area in question which was acquired for the purpose of providing free house site pattas to Adi Dravidars was occupied by persons who were affected by floods in 1979. After prolonged litigation which went up to the Apex Court of the land, the encroachers were finally evicted and the land was resumed. Thus, grant of patta for the actual beneficiaries was delayed indefinitely. The Special Tahsildar would in his report state that today the land has been restored to the possession of the department and the department has in fact granted permanent patta to 68 of the beneficiaries who were identified even in the year 1987. As far as the other persons are concerned, he had stated that pattas will be issued to those original allottees to whom temporary pattas were granted in 1987, if any of them is no longer available, pattas will be issued to their legal heirs on proof of their heirship and eligibility.

3.In view of the said statement made, we dispose of the writ petition permitting the original beneficiaries who have been granted temporary patta to move the Special Tahsildar, Adi Dravidar Welfare by producing proof of such grant and in all cases where the original beneficiaries are alive the authorities will issue patta to the original beneficiaries. Wherever the original beneficiaries are no more, pattas will be issued to their legal



W.P.(MD)No.5990 of 2019

heirs upon proof of legal heirship and eligibility of the legal heirs. The entire process shall be completed within a period of six (6) months from the date of receipt of a copy of this order. The petitioner will ensure that the allottees cooperate with the authorities in completing the proceedings. There shall be no order as to costs.

[R.S.M., J.]

[L.V.G., J.]

12.09.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes
Sml

To

- 1.State of Tamil Nadu Represented by,
The Principal Secretary,
State of Tamil Nadu,
Adi Dravidar and Tribal welfare Department,
Fort St. George, Chennai.
- 2.The Director of Adi Dravidar and Tribal Welfare,
State of Tamil Nadu,
Chepauk,
Chennai.
- 3.The District Collector,
Office of the District Collector,
Madurai District.
- 4.The District Revenue Officer,
Melur Revenue Subdivision,
Madurai District.
- 5.The Revenue Divisional Officer,
Melur Revenue Sub Division,
Othakadai, Madurai District.
- 6.The Tahsildar,



W.P.(MD)No.5990 of 2019

Madurai East Taluk,
Othakadai, Madurai District.

7.The Special Tahsildar(Unit II),
Adi Dravidar Welfare,
District Collector Office Campus,
Madurai District.



WEB COPY



W.P.(MD)No.5990 of 2019
R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

Sml

W.P.(MD)No.5990 of 2019

12.09.2024