



W.P.No.2191 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 27.01.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 2191 of 2025

&

W.M.P. No. 2539 of 2025

- 1.D.Bakiyam
- 2.S.Chinna Vellaiyan
- 3.Palanisamy
- 4.R.Raman
- 5.V.Paramasivam
- 6.K.Rathinavalli
- 7.R.Leelavathi
- 8.V.Vimala
- 9.K.Rajamanickam
- 10.V.Muthumani



W.P.No.2191 of 2023

11.C.Sivalingam

12.S.Vellaiammal

13.V.Manickam

14.V.Thangamani

15.C.Palanisamy

16.A.Kuppan

17.K.Lakshmi

18.A.Saraswathi

19.A.Eswaran

20.T.Saradha

21.A.Kuppayee

22.G.Selvi

23.S.Vasanthi

24.S.Meena

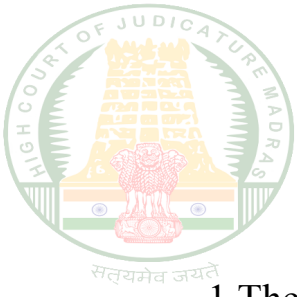
25.A.Veelachi

26.Malliga

27.C.Selvam

...Petitioners

Vs.



W.P.No.2191 of 2023

WEB COPY

1.The District Collector
Salem,
Salem District.

2.The Revenue Divisional Officer
Salem,
Salem District.

3.The Special Tahsildar
(Adi Dravidar Welfare)
Salem,
Salem District.

4.The Director
Schedule Tribe Welfare Department,
Chepauk,
Chennai- 05.

...Respondents

Prayer: Writ Petition is filed under Article 226 to issue a Writ of Mandamus directing the 3rd respondent to submit a proposal / report to the 2nd respondent and further direct the 2nd respondent to grant a patta to the petitioners in respect of land in survey no. 90 /1, 2 56 /5 at Senkadu, Thalaisolai Village, Yercaud Taluk, Salem District, by considering the petitioners' representation dated 21.08.2018, 05.04.2022, 29.09.2023 and 12.11.2024.



WEB COPY



W.P.No.2191 of 2022

For Petitioners : Mr. M.Elango

For Respondents : Mr. M.R.Gokul Krishnan
Additional Government Pleader

ORDER

The Writ Petition has been filed for the following relief:

“To direct the 3rd respondent to submit a proposal / report to the 2nd respondent and further direct the 2nd respondent to grant a patta to the petitioners in respect of land in survey no. 90 /1, 2 56 /5 at Senkadu, Thalaisolai Village, Yercaud Taluk, Salem District, by considering the petitioners' representation dated 21.08.2018, 05.04.2022, 29.09.2023 and 12.11.2024.”

2. The petitioners belong to the Scheduled Tribe Community and are residing in the land in S.No.56/5, 90/1, 2 at Sengadu, Kalaisolai Village, Yercaud Taluk, Salem District. The petitioners' forefathers



W.P.No.2191 of 2023

had come into possession of the property 5 decades ago. In the year 2006, the Central Government enacted the Schedule Tribes and Other Traditional Forest Dwellers (Recognition of Forest Right) Act, 2006. Under the said Act, the petitioned have preferred an accrued right for holding the Agricultural Land Patta.

3. Accordingly, the petitioners made an application before the respondents seeking to issue patta. Thereafter, a committee was constituted under the said Act, by way of Gramhasabha. After verification of the petitioners' applications, the said committee on 25.03.2017 made a spot inspection and found that the petitioners are eligible for patta.

4. Thereafter, the 3rd respondent on 12.06.2017 made a recommendation to the 2nd respondent to grant patta. The 3rd respondent again on 20.06.2023 had written a letter to the 1st and 2nd respondents directing to take appropriate action. Further, on 23.11.2022, the 2nd respondent written a similar letter to the 3rd



W.P.No.2191 of 2022

respondent to forward a proposal to his office for granting patta to the petitioners.

WEB COPY

5. On 20.12.2022, a committee was convened by the 2nd respondent and a resolution was passed to the effect that the proposal for granting patta should be submitted by the 3rd respondent within a week. However, the 3rd respondent did not submit a report and proposal to the 2nd respondent. Therefore, on 21.08.2018, 05.04.2022, 29.09.2023, the petitioners' Association made a representations to the respondents seeking to provide a patta. Since there is no response, the petitioners are before this Court.

6. Heard the learned counsels on the either side and perused the records.

7. Considering the above facts and circumstances, a mandamus is issued to the 3rd respondent to submit a proposal / report to the 2nd respondent and thereafter, the 2nd respondent shall grant a patta to the



W.P.No.2191 of 2025

petitioners, by considering the petitioners' representations dated 21.08.2018, 05.04.2022, 29.09.2023 and 12.11.2024, within a period of 3 weeks from the date of receipt of a copy of this order.

8. With the above directions, this Writ Petition is allowed.

Consequently, the connected miscellaneous petition is closed. No costs.

27.01.2025

Index : Yes/No
Internet : Yes/No
kan



W.P.No.2191 of 2023

WEB COPY
To

- 1.The District Collector
Salem,
Salem District.
- 2.The Revenue Divisional Officer
Salem,
Salem District.
- 3.The Special Tahsildar
(Adi Dravidar Welfare)
Salem,
Salem District.
- 4.The Director
Schedule Tribe Welfare Department,
Chepauk,
Chennai- 05.



WEB COPY



W.P.No.2191 of 2025

P.T. ASHA, J,

kan

W.P.No. 2191 of 2025

27.01.2025