



W.P.No.39334 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 02.01.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.39334 of 2024

M.Bharath Kumar

...Petitioner

Vs

- 1 The Director,
Adi Dravidar Welfare Department,
Government of Puducherry,
Puducherry.
- 2 The Deputy Collector(Revenue) North,
No.505, Revenue Complex,
Kamaraj Salai,
Puducherry- 605 013
- 3 The District Registrar,
Kamaraj Salai,
Shakthi Nagar, Saram,
Puducherry- 605 013
- 4 The Sub Registrar,
Padmini Nagar,
Villianur,
Puducherry-605110.

...Respondents



W.P.No.39334 of 2024

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking to issue Writ of Certiorarified Mandamus, directing to call for the order passed vide proceedings No.1911/ADW&STW/Stud/S1/2024-25/930 dated 21.08.2024 on the file of the 1st respondent and quash the same as incompetent and ultravires and consequently direct the 1st respondent herein to issue No Objection Certificate to execute a registered document in pursuant to the existing patta issued on 21.08.1981 to the petitioner's father Late.S.Mani by way of allotment under Welfare for Schedule Caste Scheme,1981,and fix GLR value for all future purposes.

For Petitioner : M/s.S.E.Reethika
For Respondents : Mr.M.Nirmal Kumar
1 to 4 Government Advocate(Puducherry)

ORDER

This writ petition is filed for the following relief:

“To issue a Writ of Certiorarified Mandamus, to call for the order passed vide proceedings No.1911/ADW&STW/Stud/S1/2024-25/930 dated 21.08.2024 on the file of the 1st respondent and quash the same as incompetent



and ultravires and consequently direct the 1st respondent herein to issue No Objection Certificate to execute a registered document in pursuant to the existing patta issued on 21.08.1981 to the petitioner's father Late.S.Mani by way of allotment under Welfare for Schedule Caste Scheme,1981, and fix GLR value for all future purposes.

2. It is the case of the petitioner that house site pattas were issued to homeless people in the year 1981 under the welfare for scheduled castes. A house site patta was granted to the petitioner's father, late Mani in respect of the plot No.16, comprised R.S.No.118 situated at Arumbarthapuram Village, Uzhavakarai, Pondicherry. The petitioner's father had constructed a house and lived there and after his demise, the patta was mutated in the name of the petitioner by the then Director of Adi Dravidar Welfare Department on 27.07.2005.



of the patta has been kept pending. The petitioner once again gave a representation on 24.03.2023. Thereafter, he had filed W.P.No.32499 of 2024 before this Court seeking a direction to the 1st respondent to issue the No Objection Certificate by order dated 13.12.2023. This Court had directed the respondents to consider the representation of the petitioner and pass orders on merits and in accordance with law, within a period of two months from the date of receipt of a copy of that order. Thereafter, the petitioner had approached the respondents with a copy of the representation as well as the order of this Court. However, to date, there has been no further action on the representation. The petitioner had issued a contempt notice on 29.04.2024 seeking to comply with the order passed by this Court dated 13.12.2023 in W.P.No.32499 of 2024. Even after the same, since the respondents had not come forward to comply with the order of this Court, the petitioner had filed Contempt Petition No.2090 of 2024. This prompted the 1st respondent to pass the impugned order. Aggrieved by the same, the petitioner is before this Court.



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6. Accordingly, the writ petition is allowed. The 1st respondent shall issue a No Objection Certificate to execute a registered document on the existing patta within a period of 3 weeks from the date of receipt of a copy of this order. No costs.

02.01.2025

Index: Yes/No

Speaking order/non-speaking order

Neutral Citation: Yes/No

srn

To,

- 1 The Director,
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P.T.ASHA, J.,

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