



W.P.(MD)No.13586 of 2024

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 21.03.2025**

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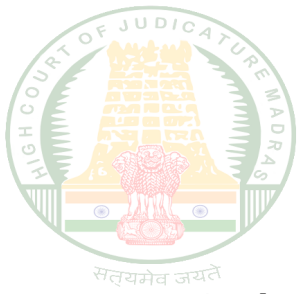
**CORAM**

**THE HON'BLE MR.JUSTICE P.B.BALAJI**

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1. Manimekalai
2. Tamilselvi
3. Anandapriya
4. Srirasiga
5. Thiruvalarselvi
6. Jeyabharathi
7. Pandi Selvi
8. Pandiyammal
9. Bhuwaneswari
10. Krishnaveni
11. Ramalakshmi
12. Karpagavalli
13. Sivabharatham
14. Suganthi
15. Vijayalakshmi
16. Muthumari
17. Nivetha
18. Seethalakshmi
19. Karpagaselvi
20. Pothumponnu
21. Udhayalakshmi
22. Suryakaladevi
23. Dharmalakshmi

: Petitioners



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Vs.

1. The District Collector,  
Virudhunagar District.

2. The District Adi Dravida Welfare Officer,  
Virudhunagar.

3. The Special Tahsildar(ADW),  
Aruppukottai.

: Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus directing the respondents to demarcate and handover the free house sites in plot Nos. 81 to 103 in survey Nos.370/2B, 371/1A and 376/7D of Alagiyanallur Village, Kariapatti Taluk, Virudhunagar District which were assigned to the petitioners through the proceedings of the 3rd respondent in Na.Ka.No. A1/480/1990 dated 03.04.2023 within the time limit stipulated by this Hon'ble Court and grant such other and further relief which the Hon'ble Court deems fit and proper in the circumstances of the case and thus render justice.

For Petitioner : Mr.J.Malairaja

For Respondents : Mr.B.Saravanan

Additional Government Pleader



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## **ORDER**

The petitioner seeks issuance of a Writ of Mandamus, to direct the respondents to demarcate and hand over free house site pattas which have already been allotted to the respective writ petitioners. There has been some developments pending this Writ Petition. Show cause notices were issued to the petitioners, calling upon them as to why the assignments should not be cancelled.

2.The petitioners admit that they attended the enquiry and made their submissions. However, thereafter it appears that the respondents have proceeded to cancel the assignments in respect of 22 persons, excepting one Udhayalakshmi / 21<sup>st</sup> petitioner.

3.The contention of the learned Counsel for the writ petitioners is that the very same Village Administrative Officer who has now given a certificate that the petitioners whose assignments have been cancelled on the ground that they have properties in their names, has already given a certificate stating that none of these petitioners have properties in their name. The said certificates have been issued on 15.11.2023. Therefore, the issue has to be carefully and properly examined by the authorities. It is also not shown that



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the assignments which according to the respondents have been cancelled was communicated to the respective petitioners.

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4. Therefore, I feel that in the light of two contrary reports of the Village Administrative Officer existing on file, the petitioners may be given one more opportunity to put forth their claims before the third respondent. The third respondent shall call the petitioners for enquiry and after considering the documents that may be relied on by the petitioners and also taking into account the two contrary certificates of the Village Administrative Officer, the third respondent shall pass final orders on merits and in accordance with law within a period of twelve [12] weeks from the date of receipt of a copy of this order.

5. I also find that one of the reasons which is now cited for cancellation of the one of the writ petitioner's assignment is that the petitioner's mother-in-law has been assigned lands already. I do not find ineligibility of the petitioner on account of the petitioner's mother-in-law being assigned as they do not belong to same family. All these factors shall be taken into consideration by the third respondent before passing orders.



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**6.**Accordingly, this Writ Petition stands disposed of. There shall be no order as to costs.

**21.03.2025**

Index :Yes / No

Internet : Yes / No

NCC : Yes/No

MR



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To

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Virudhunagar District.
2. The District Adi Dravida Welfare Officer,  
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3. The Special Tahsildar(ADW),  
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**P.B.BALAJI., J.**

MR

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