

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09-09-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.28388 of 2015

and

M.P.No.1 of 2015

A.M.Kumarasamy

.. Petitioner

vs

1.The District Collector
Erode District, Erode

2.The Revenue Divisional Officer
Erode Taluk, Erode District

3.The Tahsildar
Perundurai Taluk, Erode District

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the respondents to consider the petitioner's representation dated 31.8.2015, and thereby not to grant patta to any third parties in respect of S.F.No.991/23, Vadamugam Vellodu Village, Perundurai Taluk, Erode District.

For Petitioner : Ms.P.T.Ramadevi

For Respondents : Mr.V.Subbiah
Special Government Pleader

ORDER

By consent, the writ petition itself is taken up for final disposal.

2.The petitioner claims that he is the Dharmakarthha of Arulmighu Mariamman Temple and Arulmighu Vinayagar Temple in Vadamugam Vellodu Village, Perundurai Taluk, Erode District, and it is an ancient temple existing for more than hundred years. The petitioner would state that there is a Natham Poramboke land in Survey No.991/23 adjacent to the above said temples, and it has been used by the general public for conducting festivals and also for other religious functions and however, some persons belonging to the Ruling Party, are trying to encroach upon the above said property and taking steps to get patta in their own names and in this regard, the petitioner has submitted a representation dated 31.8.2015, to the respondents not to grant patta in favour of the private persons in respect of the above said land, and though it was received and acknowledged, no response is forthcoming and hence, he came forward to file this writ petition.

3.Heard the submissions of the learned Counsel appearing for the petitioner, and Mr.V.Subbiah, learned Special Government Pleader, who accepted notice on behalf of the respondents.

4.Though the petitioner prayed for a larger relief, this Court, in the light of the facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the third respondent to consider the petitioner's representation dated 31.8.2015, on merits and in accordance with law, after putting on notice, the persons concerned and pass orders thereon within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as to the persons concerned. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

To:

- 1.The District Collector
Erode District, Erode
- 2.The Revenue Divisional Officer
Erode Taluk, Erode District
- 3.The Tahsildar
Perundurai Taluk, Erode District

+1 cc to M/s.P.T.Ramadevi, Advocate, sr.49457

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