



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :02.09.2015

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P(MD).No.15899 of 2015

A.Kuppusamy,
Son of Adithyan,
President,
Ariyakkudi Village Muthaiyar Community Welfare Association,
Door No.1204, North Street,
Ariyakudi Village,
Karaikudi Taluk,
Sivagangai District.

... Petitioner

Vs.

01.The District Collector,
Sivagangai,
Sivagangai District.

02.The Revenue Divisional Officer,
Ram Nagar, Devakottai,
Sivagangai District.

03.The Tahsildhar,
Karaikudi,
Sivagangai District.

04.The Village Administrative Officer,
Ariyakudi Village,
Sivagangai District.

... Respondents

PRAYER: This Writ Petition has been filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents herein to issue patta in the name of "Muthuraiyar Kammaikarai Mandagapadikararkal, Ariyakudi Village, Mutharaiyar Community Welfare Association" in respect of the lands situated in S.No.90/19, measuring 0.23.5 Ares, situated in Ariyakudi Village, Karaikudi Taluk, Sivagangai District within the time limit fixed by this Honourable Court by considering the representation, dated 29.12.2014 given by the petitioner within the time frame fixed by this Court.

For petitioner : Mr.AL.Kannan

For Respondents : Mr.S.Kumar,

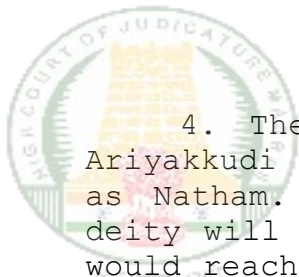
Additional Government Pleader

ORDER

This Writ Petition has been filed praying for a Writ of Mandamus directing the respondents herein to issue patta in the name of "Muthuraiyar Kammaikarai Mandagapadikararkal, Ariyakudi Village, Mutharaiyar Community Welfare Association" in respect of lands situated in S.No.90/19, measuring 0.23.5 Ares, situated in Ariyakudi Village, Karaikudi Taluk, Sivagangai District by considering the representation, dated 29.12.2014, within a stipulated time.

2. Mr.S.Kumar, learned Additional Government Pleader takes notice for the respondents.

3. By consent, the Writ Petition itself is taken up final disposal.



4. The case of the petitioner is that the lands in S.No.90/19, Ariyakkudi Village, Karaikudi Taluk, Sivagangai District, is classified as Natham. During Vaikasi festival of Thirvettudaiyan Temple, the deity will be taken around the Cars Street in "Wooden Horse Vahanam" and would reach the Mandagapadi situated in S.No.90/19, Ariyakudi Village and in the said small shed erected, there the deity will be kept for worshipping. Therefore, the petitioner Association gave a representation to the respondents on 29.12.2014, requesting to issue patta in the name of the petitioner Association in respect of the land when the shed is erected. The same was not considered so far. Hence, the petitioner has come forward with the Writ Petition for the above stated relief.

5. Considering the submissions made on either side, without going into the merits of the case, this Court directs the third respondent to consider the representation of the petitioner dated, 29.12.2014 on merits and in accordance with law by affording an opportunity of hearing to the petitioner and all the necessary parties, within a period of twelve weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion on merits of claim made by the petitioner and it is for the third respondent to consider the same purely on merits.

With the above direction, the Writ Petition is disposed of. No Costs.

Sd/-

The Assistant Registrar(Crl.side)

/True copy/

Sub-Assistant Registrar

To

01.The District Collector,
Sivagangai,
Sivagangai District.

02.The Revenue Divisional Officer,
Ram Nagar, Devakottai,
Sivagangai District.

03.The Tahsildhar,
Karaikudi,
Sivagangai District.

04.The Village Administrative Officer,
Ariyakudi Village,
Sivagangai District.

+1cc to Mr.AL.Kannan, Advocate SR.No.51372

+1cc to the special Government Pleader SR.No.51293 & 51298

pm

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