



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :30.09.2015

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P(MD) .No.17627 of 2015

P.Arumugam

... Petitioner

Vs.

1.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Chennai - 600 034.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Sivagangai,
Sivagangai District.

3.The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Paramakudi,
Ramanathapuram District.

... Respondents

This Writ Petition has been filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents to consider the petitioner's representation, dated 08.03.2014 to restore the property in the name of Pillaiyar temple and pass appropriate order within the time as stipulated by this Court.

For petitioner	: Mr.K.Pandiarajan
For Respondents	: Mr.V.Muruganantham, Additional Government Pleader

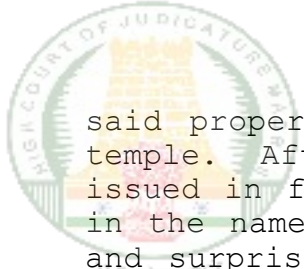
ORDER

The Writ Petition has been filed praying for a Writ of Mandamus directing the respondents to consider the petitioner's representation, dated 08.03.2014 to restore the property in the name of Pillaiyar temple and pass appropriate order within a stipulated time.

2. Mr.V.Muruganantham, learned Additional Government Pleader takes notice for the respondents.

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

4. In the affidavit it has been averred that the grandfather of the petitioner by name Murugaiah Nadar owned the property measuring to an extent of 3.4.1.5 hectare in S.No.151/1A, situated at Irrattayurani Group, Ramanathapuram Taluk. He executed a Will, dated 25.08.1935 bequeathing all other properties belonging to him in favour of his legal heirs except the above said property situated in S.No.151/1A and the



said property was bequeathed in favour of one Irrattaiyurani Pillaiyar temple. After his demise, the Will came in to force and patta No.118 was issued in favour of the temple and all the revenue records were changed in the name of the temple. While the matter stood thus, to the shock and surprise, the petitioner came to know that the patta for the above said property was changed in favour of Pillaiyar temple of Irrattaiyurani Nadar Urravinmurai, and patta No.3870 was issued by the Tahsildhar, Ramanathapuram. Hence the petitioner has made a representation, dated 08.03.2014 to cancel the patta issued in respect of the above said property. Since the said representation was not considered so far, the petitioner has come forward with the present Writ Petition for the above stated relief.

5. Considering the submissions made by the learned counsel for the petitioner, without going into the merits of the averments made in the Writ Petition, this Court directs the respondents to consider the representation of the petitioner, dated 08.03.2014 and pass appropriate orders 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 two months from the date of receipt of a copy of this order.

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

Sd/
Assistant Registrar

/TRUE COPY/

Sub Assistant Registrar

To

- 1.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Chennai - 600 034.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Sivagangai,
Sivagangai District.
- 3.The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Paramakudi,
Ramanathapuram District.

+1 cc to MR.Pandiyarajan, ADVOCATE, SR No.57614

2P/5C SH:JGB:09.10.2015

W.P (MD) .No.17627 of 2015

30.09.2015