

In the High Court of Judicature at Madras

Dated: 19.05.2016

Coram:

The Honourable Mr.Justice K.KALYANASUNDARAM

Writ Petition No.18279 of 2016

and

WMP.No.15991 of 2016

Dr.Sankaralingam

... Petitioner

Versus

1 The District Collector
Kancheepuram District
Kancheepuram

2 The Thasildar
Chengalput Taluk
Kancheepuram District

3 The Joint Sub Registrar - II
Chengalput Sub-Registrar Office
Kancheepuram District

4 Nataraj Gurukkal

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the First Respondent to hold enquiry on the representation of the petitioner dated 03.05.2016 and transfer the Patta in the name of Dharmaraja Temple, Thirukatchur Village, Chengalput Taluk, Kancheepuram District, land in Survey No.155 measuring about 93.75 cents.

For Petitioner ..

Mr.R.Sankarasubbu

For Respondents 1 to 3 ..

Mr.P.Sanjay Gandhi

Additional Government Pleader

ORDER

The prayer in the Writ Petition is to direct the first Respondent to hold enquiry on the representation of the petitioner dated 03.05.2016 and transfer the Patta in the name of Dharmaraja Temple, Thirukatchur Village, Chengalput Taluk, Kancheepuram District with regard to the land in Survey No.155

measuring about 93.75 cents.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader, who takes notice on behalf of the respondents 1 to 3.

3. The learned counsel for the petitioner would submit that the land in S.No.155 of Thirukatchur Village in Chengalpattu Taluk, measuring to an extent of 93.75 cents was described as 'Vannan Mannar Land' as per the Revenue Records and it was gifted to Dharmaraja Temple. It is further submitted that the Poojaries of the temple have obtained patta in their names and subsequently, they are attempting to alienate the same to the third parties. In this regard, the petitioner made a representation to the first respondent, viz., the District Collector, Kancheepuram District to transfer the patta and also to hold an enquiry with regard to the ownership of the land. Since the representation was not disposed of, the petitioner has come before this Court with this Writ Petition.

4. Considering the facts and circumstances of the case and without going into the merits of the matter, the petitioner is directed to give a fresh representation to the first respondent within a period of one week from the date of receipt of a copy of this order and on such receipt, the first respondent, viz., the District Collector, Kancheepuram District, shall consider and dispose of the representation of the petitioner, on merits and in accordance with law, after affording reasonable opportunity of personal hearing to the petitioner and the fourth respondent, and also to any other parties if necessary, and pass appropriate orders within a period of six weeks thereafter.

5. The Writ Petition is disposed of accordingly. Consequently, connected Miscellaneous Petition is closed. No costs.

सत्यमेव जयते

-s/d-

Assist Registrar/Vacation Officer

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Sub-Assistant Registrar

mra

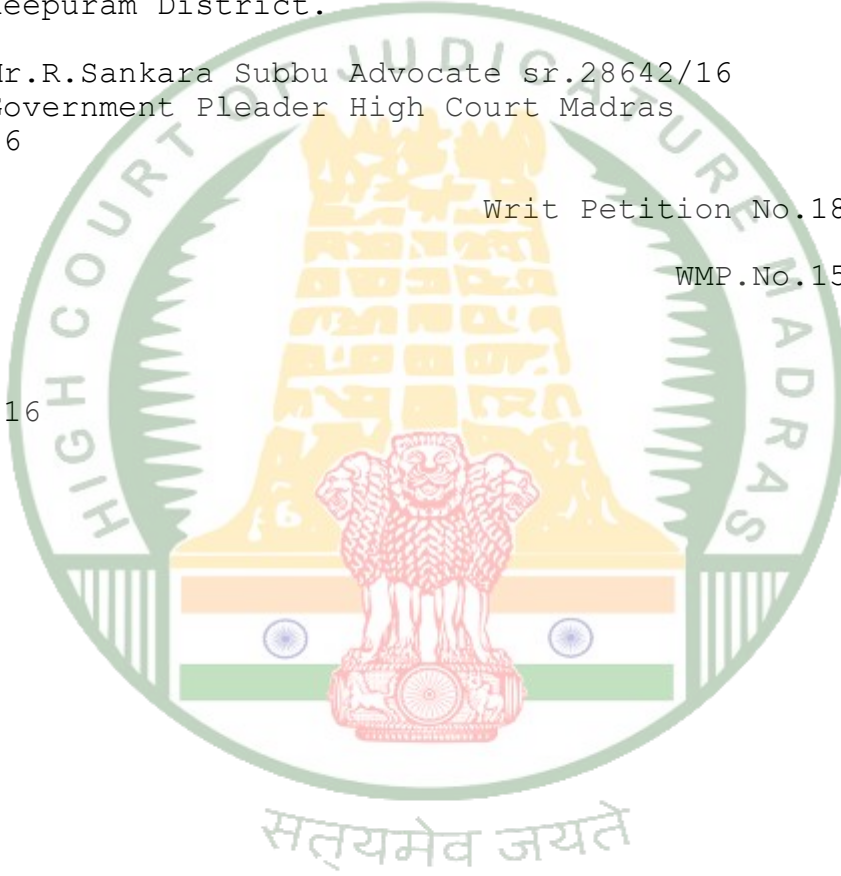
To

- 1 The District Collector
Kancheepuram District
Kancheepuram.
- 2 The Thasildar
Chengalput Taluk
Kancheepuram District.
- 3 The Joint Sub Registrar - II
Chengalput Sub-Registrar Office
Kancheepuram District.

+1 cc to Mr.R.Sankara Subbu Advocate sr.28642/16
+1 cc to Government Pleader High Court Madras
sr.28614/16

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