



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.10.2016

CORAM :

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition (MD) No.20500 of 2016

G.Selvam

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Kovilpatti, Thoothukudi District.

2.The Executive Officer,
A/m.Meenakshi Sundareswarar Temple,
Vilathikulam Town & Taluk,
Thoothukudi District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 1st respondent herein to conduct an enquiry and pass appropriate order in the light of the recommendations of the 2nd respondent dated 14.01.2015 pertaining to issuance of patta in the name of A/M.Meenakshi Sundareswarar Temple to the property portion of comprised in Natham S.No.42A1 (New S.No.585) measuring about 0.232.2 Hectares in Villathikulam Town & Taluk Thoothukudi District.

For Petitioner : Mr.V.S.Kishok Kumar

For 1st Respondent : Mr.V.Muruganandam,
Additional Government Pleader.

For 2nd Respondent : Mr.M.Muthugeethayan

O R D E R

The petitioner claiming to be tenant under the second respondent temple alleging that the land in his occupation belongs to the second respondent temple but wrongly, patta has been issued in favour of one Muthusamy Pillai who was died long ago. Already, the second respondent temple sent a petition to the first respondent to cancel patta on 14.01.2015 but so far no action has been taken. Since the second respondent did not come forward to any take steps in the interest of the temple, the petitioner has filed the writ petition.

<https://hcservices.ecourts.gov.in/hcservices/> 2.Learned counsel for the second respondent submitted that already the second respondent sent an appeal to the first respondent for cancellation of patta and the same is pending.



3. Under such circumstances, the first respondent is directed to consider the appeal filed by the second respondent and pass appropriate orders on merits and in accordance with law, after giving opportunity to the petitioner as well as rival claimants if any, within a period of twelve weeks from the date of receipt of a copy of this order.

4. With the above direction, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar

To

The Revenue Divisional Officer,
Kovilpatti, Thoothukudi District.

+1cc to Mr.K.R.Singaravadivel, Advocate in SR No.63060
+1cc to Mr.M.Muthugeethayan, Advocate in SR No.63448
+1cc to the Spl.Govt.Pleader in SR No.63288

Writ Petition (MD) No.20500 of 2016
24.10.2016

sms
anr/ck/sar3/22.12.2016/2p/5c