



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.05.2016

CORAM:

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P. (MD) No. 9518 of 2016

WEB COPY

K.S.Muthu
S/o.Kumaravel
Administrator,
Kottar Ezhavar Samudhaya Vagai Arumugaperumal-
Pillaiyar Swamy Trust, Avvai Illam,
No.15, Dhayananda Veethi,
Kottar, Nagercoil,
Agasteeswaram Taluk,
Kanyakumari District. .. Petitioner

Vs.

- 1.The District Collector,
Kanyakumari District,
Nagercoil.
- 2.The District Registrar,
Kanyakumari District,
Nagercoil.
- 3.The Tahsildar,
Agasteeswaram Taluk,
Nagercoil,
Kanyakumari District.
- 4.The Joint Registrar-I,
Agasteeswaram Taluk,
Nagercoil,
Kanyakumari District.
- 5.The Joint Registrar-II,
Agasteeswaram Taluk, Nagercoil,
Kanyakumari District. : Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for the issue of a Writ of Mandamus forbearing the respondents 2, 4 and 5 not to register any deeds in respect of the lands in New S.Nos. R4/1 to R4/170, N9/77 to N9/96 and N.10/1 to 10/28, Nagercoil Village, Kanyakumari District other than the deeds executed by the petitioner trust and further restraining the respondents 1 and 3 not to change the patta in respect of the lands in New S.Nos. R4/1 to R4/170 N9/77 to N9/96 and N.10/1 to 10/28 Nagercoil Village, Kanyakumari District on the basis of the representation dated 14.05.2016.

<https://hcservices.ecourts.gov.in/hcse/Petitioner>
For Respondent

: Mr.R.Murugan
: Mr.M.Rajarajan
Government Advocate



O R D E R

This Writ Petition has been filed for issuance of writ of mandamus forbearing the respondents 2, 4 and 5 not to register any deeds in respect of the lands in New S.Nos. R4/1 to R4/170, N9/77 to N9/96 and N.10/1 to 10/28, Nagercoil Village, Kanyakumari District other than the deeds executed by the petitioner trust and further restraining the respondents 1 and 3 not to change the patta in respect of the lands in New S.Nos. R4/1 to R4/170 N9/77 to N9/96 and N.10/1 to 10/28 Nagercoil Village, Kanyakumari District on the basis of the representation dated 14.05.2016.

2. By consent of both sides, the writ petition itself is taken up for final disposal.

3.It is the case of the petitioner that the petitioner trust is administering 4 temples, mutt and having movable and immovable properties. Among the immovable properties, the petitioner trust is having the lands in New Sy.Nos.R4/1 to R4/170, N9/77 to N9/96 and N.10/1 to 10/28, Nagercoil Village, Kanyakumari District. 52 families are the beneficiaries of the petitioner trust. When the situation stood thus, some third parties tried to encumber the above said properties and change the patta in their name. Hence, the petitioner made a representation before the respondents 1 and 3 on 20.09.2014. Thereafter, he made another representation dated 06.05.2016 before the respondents 1 to 3 requesting them not to register any deed and not to change the patta in respect of the above said lands. Then, on 14.05.2016, he made another detailed representation before the respondents. But, even thereafter, they did not evoke any response from the respondents. Hence, the petitioner is before this court.

4.Considering the limited nature of the prayer sought for, this court is inclined to direct the respondents to consider the representation of the petitioner dated 20.09.2014, followed by reminders dated 06.05.2016 and 14.05.2016 and pass appropriate orders on the same, on merits and in accordance with law, within a period of 6 weeks from the date of receipt of a copy of this order.

5.With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Vacation Officer/

Assistant Registrar(CSI)

/True Copy/



1.The District Collector,
Kanyakumari District,
Nagercoil.

2.The District Registrar,
Kanyakumari District,
Nagercoil.

3.The Tahsildar,
Agasteeswaram Taluk,
Nagercoil,
Kanyakumari District.

4.The Joint Registrar-I,
Agasteeswaram Taluk,
Nagercoil,
Kanyakumari District.

5.The Joint Registrar-II,
Agasteeswaram Taluk,
Nagercoil,
Kanyakumari District.

+One cc to M/s.R.Murugan, Advocate, SR.No.27161

+One cc to The Special Government Pleader, SR.No.27194

vs

RL/8C/3P/DB/SARI/2/6/2016

W.P. (MD) No.9518 of 2016
25/05/2016