

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.20786 of 2010

Sri Visweswaraswamy and
Veeraragavaperumal Temple
Rep. by its Executive Officer
K.Subramanian

... Petitioner

Versus

1.The Principal Secretary and
Commissioner of Land Administration,
Chepauk, Chennai - 600 005.

2.The District Revenue Officer,
Tiruppur District,
Tiruppur.

3.The Revenue Divisional Officer,
Tiruppur District,
Tiruppur.

4.The Tahsildar,
Tiruppur District,
Tiruppur.

5.S.Rajeswari

6.S.Hemapriya

7.S.Rama Priya

8.Arthi Priya

... Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorari, calling for the records of the 1st respondent with reference to his order D.Dis.K4/RP-42/2002 (119/2002) dated 10.05.2010 and quash the same.

For Petitioner : Mr.R.T.Doraisamy

For RR1 to 4 : Mr.Akhil Akbar Ali

For RR5 to 8 : Mr.Srinath Sridevan

O R D E R

The petitioner has come forward with the prayer challenging the order of the first respondent and quash the same.

2. The first respondent has passed an order confirming the order of the second respondent, but reversed the order of the 3rd respondent. Hence, the present writ petition has been filed challenging the same.

3. Admittedly, the land in Survey Nos.660/1a, 659/2a, 659/3a and 660/1b, all form part of Survey No.556, including the other survey that belonged to the Temple. The four survey Nos. mentioned supra were allotted to the grandfather of the respondents 5 to 8 and that has devolved upon Santhana Krishnan and after his demise, and after sub-division of the old Survey No.556, these Survey Nos. of the schedule property has devolved upon the temple originally granted under Inam.

4. The Writ Petitioner has continuously questioned the order of the Settlement Tahsildar insofar as new Survey Nos.656, 657, 660/1C are concerned. The allotment by the Settlement Tahsildar insofar as the new survey Nos. mentioned supra, originally belonged to the grandfather of the respondents 5 to 8, which has not been questioned. The allotment has been done to the grandfather of the respondents 5 to 8, as early as on 10.10.1968 and the same has not been questioned and that has become final. That being the case, the grievance of the writ petitioner with regard to the Survey Nos. belonging to the four respondents viz., 5 to 8 devolved upon to them by means of allotment to the grandfather made as early as on 10.10.1968, cannot be gone into in this writ petition.

5. Admittedly, the Survey Nos. for which dispute has been arisen is already belonged to the temple and in view of the clear finding of the Appellate Authority, viz., first respondent confirm the order of the second respondent, who has reversed the order of the 3rd respondent cannot be interfered with. Hence, the writ petition is dismissed. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

pvs

To

1.The Principal Secretary and
Commissioner of Land Administration,
Chepauk, Chennai - 600 005.

2.The District Revenue Officer,
Tiruppur District,
Tiruppur.

3.The Revenue Divisional Officer,
Tiruppur District,
Tiruppur.

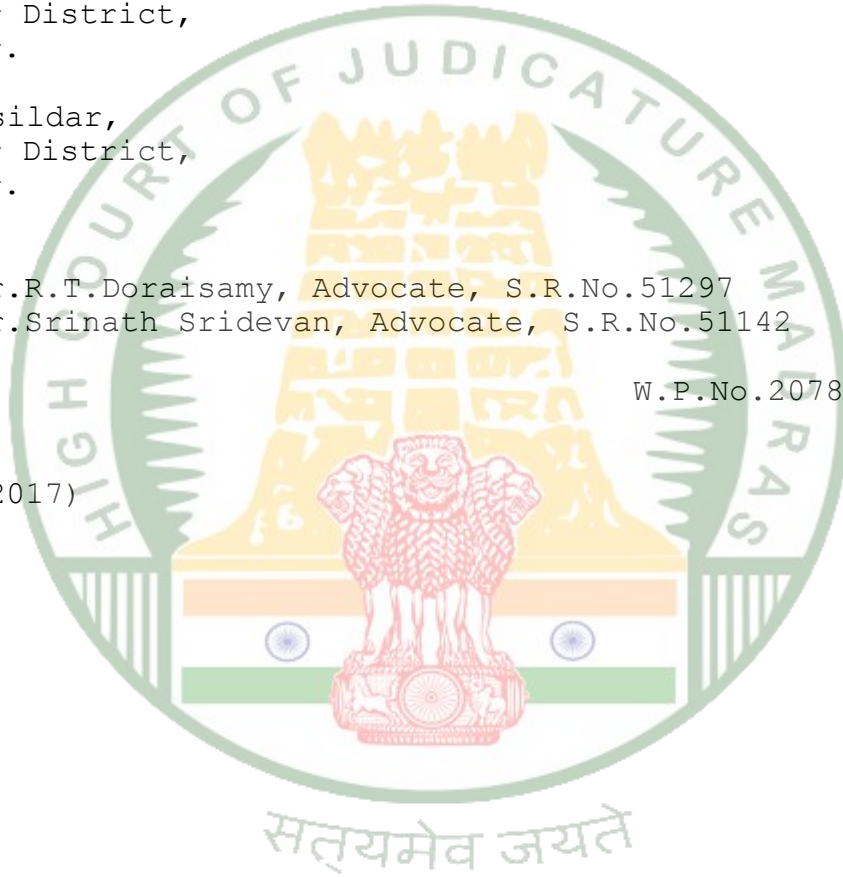
4.The Tahsildar,
Tiruppur District,
Tiruppur.

+1cc to Mr.R.T.Doraisamy, Advocate, S.R.No.51297

+1cc to Mr.Srinath Sridevan, Advocate, S.R.No.51142

W.P.No.20786 of 2010

CS IV
CA(07/08/2017)



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