

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.07.2017

CORAM

THE HON'BLE MR. JUSTICE M.DURAI SWAMY

W.P.No.17313 of 2017 &
W.M.P.No.18816 of 2017

K.Balakrishnan

...Petitioner

v.

- 1 The District Collector
Namakkal District, Namakkal
- 2 The Commissioner
Hindu Religious and Charitable Endowments
Nungambakkam, Chennai-600 034
- 3 The Executive Officer
Arulmighu Kalyana Venkataramana Perumalswamy
Thirukkcoil, Kaliyanoor Pallipalayam
Agraharam, Namakkal District
- 4 The District Revenue Officer
Office of the District Collector Namakkal
District Namakkal
- 5 The Revenue Divisional Officer
Tiruchengode Revenue Divisional Office
Tiruchengode, Namakkal District
- 6 The Tahsildar
Office of the Tahsildar
Komarapalayam
Namakkal District

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the respondents to forthwith grant patta for the lands of the temple namely, Arulmighu Kalyana Venkataramana Perumalswamy Temple, comprised in the following Survey Numbers, namely, 124, 24, 25, 115/7, 127/1, 127/2, 127/3, 127/4 and 127/5 situated at Avathipalayam, Kaliyanur Village, Komarapalayam Taluk, Namakkal District, in the name of the temple by considering and passing orders on the Application of the petitioner dated 2.1.2017.

For Petitioner : Mr.K.Selvaraj

For Respondents : Mr.R.Rajeswaran
Special Govt. Pleader for R1, R4 to R6

Mr.M.Maharaja
Special Govt. Pleader for R2 & R3

ORDER

The petitioner has filed the above writ petition to issue a Writ of Mandamus, directing the respondents to forthwith grant patta for the lands of the temple, viz., Arulmighu Kalyana Venkataramana Perumalswamy Temple, comprised in Survey Nos.124, 24, 25, 115/7, 127/1, 127/2, 127/3, 127/4 and 127/5 situated at Avathipalayam, Kaliyanur Village, Komarapalayam Taluk, Namakkal District, in the name of the temple by considering the application dated 02.01.2017

2. The learned counsel appearing for the petitioner submitted that in spite of the petitioner's application dated 02.01.2017, to issue patta in favour of the temple, the 6th respondent has not passed any orders so far.

3. Mr.M.Maharaja, learned Special Government Pleader taking notice for the respondents 2 and 3 Mr.R.Rajeswaran, learned Special Government Pleader, taking notice for the respondents 1, 4, 5 and 6 and submitted that the 6th respondent may be directed to consider and pass orders on the petitioner's application dated 02.01.2017, in accordance with law.

4. Having regard to the submissions made by the learned counsel on either side and also taking into consideration the limited prayer sought for in the writ petition, without expressing any opinion with regard to the merits of the case, I direct the 6th respondent to consider the petitioner's application dated 02.01.2017 and pass orders, on merits and in accordance with law, after giving notice to all the interested parties, within a period of four weeks from the date of receipt of a copy of this order.

With this observation, the writ petition is disposed of.
No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CS VIII)

/true copy/

Sub Asst. Registrar

Rj

To

- 1 The District Collector
Namakkal District, Namakkal
- 2 The Commissioner
Hindu Religious and Charitable Endowments
Nungambakkam, Chennai-600 034
- 3 The Executive Officer
Arulmighu Kalyana Venkataramana Perumalswamy
Thirukkoil, Kaliyanoor Pallipalayam
Agraharam, Namakkal District
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- 5 The Revenue Divisional Officer
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Tiruchengode, Namakkal District
- 6 The Tahsildar
Office of the Tahsildar
Komarapalayam, Namakkal District

+1cc to M/s.K.Selvaraj, Advocate in sr.no.47353
+1cc to Government Pleader in sr.no.48055

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