



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.11.2017

CORAM:

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P (MD) No.14316 of 2015

and

M.P (MD) Nos. 2 & 3 of 2015

1.Asokan
2.Manickam
3.Senthil Kumar
4.Murugesan

...Petitioner

Vs.

1.The District Collector
Ramnad District.

2.The Revenue Divisional Officer
Office of Revenue Divisional Office,
Ramnad District.

3.The Tahsildar
Office of Taluk Office,
Ramnad District.

4.The Inspector
Department of Hindu Religious and Charitable Endowment,
Ramnad

5.P.Arumugam

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari call for the records in impugned notice in Na.Ka.A7/2325/2014, dated 04.04.2014 passed by the second respondent and quash the same.

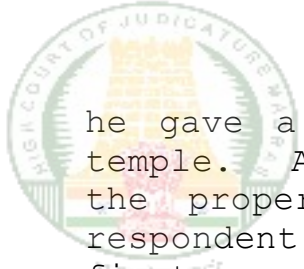
For Petitioners	: Mr.M.V.Venkataseshan
For R.1 to R.4	: Mr. J.Gunaseelan Muthiah, Government Advocate
For R.5	: N.Tamilmani

ORDER

By consent, this writ petition itself is taken up for final disposal.

2. Heard the learned Counsel on either side.

3. According to the petitioners, the ancestral Pillaiar Temple is being managed by the Community members belonging to Nadar Community. One Murugaiah Nadar executed a Will under which



he gave a portion of the land to an extent of 9 acres to the temple. All of a sudden, some third parties attempted to usurp the property and hence, the petitioners approached the third respondent. On 08.03.2014, the fifth respondent approached the first respondent stating that the mutation in the name of Nadar Uravinmurai is not correct and could be in the name of Pillaiar Koil. The first respondent directed the second respondent to conduct an enquiry, who in turn, issued the impugned notice to the petitioners as well as the fifth respondent and hence, the petitioner has come before this Court with the above said prayer.

4. At this juncture, the learned counsel for the petitioners and the learned counsel for the fifth respondent would represent that their respective parties are agreeable to cause their appearance before the second respondent for enquiry along with the required documents.

5. A perusal of the impugned notice would show that the petitioners were only asked to appear for enquiry along with the relevant documents in support of their claim and nothing else and therefore, it is for the respective parties to appear and defend their cases before the second respondent. Hence, this writ petition is disposed of, directing the petitioners and the fifth respondent to go before the second respondent for smooth conduct of enquiry and on their appearance and production of documents, the second respondent shall proceed further and pass necessary orders on the matter on its own merits and in accordance with law, after affording due opportunity of hearing to the petitioners, fifth respondent as well as other interested parties, if any, within a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-III)

/True copy/

Sub Assistant Registrar

To

1.The District Collector
Ramnad District.

2.The Revenue Divisional Officer
Office of Revenue Divisional Office,
Ramnad District.

3.The Tahsildar
Office of Tahsildar,
Ramnad District.



4.The Inspector

Department of Hindu Religious and Charitable Endowment,
Ramnagar

+1cc to Mr.T.TAMILMANI,Advocate,SR. 88399

+1cc to Mr.M.V.VENKATASESHAN,Advocate,SR. 88591

+1cc to M/S.Special Government Pleader,SR. 88649

W.P (MD) No.14316 of 2015
21.11.2017

RM

KK/GT/SAR 4/06.12.2017/ 3P- 8C/