



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.09.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.(MD).No.11647 of 2011

N.Ehasan Beevi

... Petitioner

Vs.

1. State represented by
the District Collector,
Thanjavur District,
Thanjavur.

2. The Revenue Divisional Officer,
Thanjavur District,
Thanjavur.

3. The Tahsildar,
Kumbakonam Taluk,
Thanjavur District.

4. Naganathaswami Kovil Temple,
represented by its
Executive Officer,
Thirunagaswaram,
Kumbakonam,
Thanjavur District.

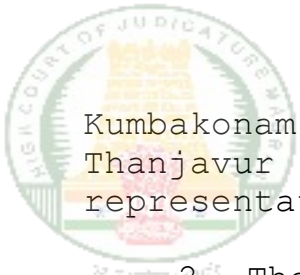
... Respondents

PRAYER: Writ Petition is filed under Section 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 3 herein to grant Patta in Survey No.16-8 situated at 116, Sannapuram Village, Kumbakonam Taluk, Thiruvidadaimaruthur Registration District, Thanjavur District in the name of the petitioner based on the representation, dated 22.09.2011.

For Petitioner	: Mr.B.Jameel Arasu
For R1 to R3	: Mr.C.Selvaraj Special Government Pleader
For R4	: Mr.Anwar Sameem

O R D E R

<https://hcservices.courts.gov.in/hcservices> The petitioner has come up with the present writ petition for issuance of Mandamus directing the respondents 1 to 3 to grant Patta in Survey No.16-8, situated at 116, Sannapuram Village,



Kumbakonam Taluk, Thiruvudaimaruthur Registration District, Thanjavur District, in the name of the petitioner, based on his representation, dated 22.09.2011.

2. The petitioner would claim that her husband purchased the land in dispute through a registered sale deed in the year 1997. Since then he had been in possession of the property and after his demise, the petitioner is in possession.

3. It is further stated that the petitioner gave a representation to the respondents on 22.09.2011, for issuance of Patta. Since no action was taken, the present Writ Petition has been filed.

4. The fourth respondent has filed a counter affidavit stating that the fourth respondent is an ancient temple and the vast extent of the land including the subject property have been endowed in favour of the temple vide Document No.2618 of 1952. It is further stated that the sale deed executed in favour of the petitioner's husband in the year 1997 is void, in view of Section 34 of Hindu Religious and Charitable Endowment Act.

5. Heard Mr.B.Jameelarasu, learned counsel for the petitioner, Mr.C.Selvaraj, learned Special Government Pleader appearing for the respondents 1 to 3 and Mr.Anwar Sameem, learned counsel appearing for the fourth respondent.

6. In the light of the above facts, this Court is of the opinion that the petitioner is not entitled for the relief sought for in the writ petition. Hence, the Writ Petition is dismissed giving liberty to the petitioner to approach the competent civil Court to establish her right. No costs.

Sd/-
Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Thanjavur District,
Thanjavur.

2. The Revenue Divisional Officer,
Thanjavur District,
Thanjavur.



3. The Tahsildar,
Kumbakonam Taluk,
Thanjavur District.

+1cc to M/S.B.Jameel Arasu, Advocate SR.No. 78531
+1cc to Special Government Pleader, SR.No. 78806

W.P. (MD) .No.11647 of 2011
12.09.2017

AKV
JM/KK/SAR 3/26.09.2017/3P/6C