



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 07.06.2018
CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

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W.P. (MD) No.12069 of 2018
and
W.M.P (MD) Nos.11001 and 11002 of 2018

1. V.Alagirisamy
2. K.Thiruvanantham
3. K.Devendran
4. V.Selvaraj
5. K.Shanmugam
6. N.Saravanan
7. S.Susila
8. G.Muruganandham
9. S.P.Vignesh
10. M.Karunanithi
11. K.Rajappa
12. K.Rajendran
13. K.Ilanchezhilian
14. A.Arumugam

... Petitioners

Vs.

1. The State of Tamil Nadu
Rep. by its Secretary to Government
Revenue Department
Secretariat, Chennai- 600 009.
2. The Secretary
Hindu Religious and Charitable Endowments
Department
Government of Tamil Nadu
Secretariat, Chennai-600 009.



3. The District Collector
Thanjavur District
Collectorate
Thanjavur- 613 010

4. The Sub Collector
Kumbakonam
Taluk Office Campus
Kumbakonam- 612 001
Thanjavur District.

5. The Thasildhar
Kumbakonam Taluk
Taluk Office
Kumbakonam- 612 001
Thanjavur District.

6. The Executive Officer cum Assistant
Commissioner of HR & CE
Arulmighu Naganatha Swamy Koil
Thirungeswaram- 612 204
Kumbakonam Taluk
Kumbakonam, Thanjavur District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to issue patta to the petitioners in respect of their respective residential areas in No.116, Sannapuram Village, Thirunageswaram, Manalmettu Streetm recognizing their possession for more than five decades as per the G.O.(Ms.)No.168 dated 27.03.2000 and G.O.(Ms) No.34 dated 23.01.2008.

For Petitioner : Mr.R.Narayanan

For RR 1 to 5 : Mr.J.Gunaseelan Muthiah,
Additional Government Pleader.

For R6 : Mr.V.Chandrasekar

O R D E R

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2. Mr.J.Gunaseelan Muthiah, learned Additional Government Pleader takes notice for respondents 1 to 5. Mr.V.Chandrasekar learned counsel takes notice for the sixth respondent.

3. The petitioners herein who claimed to be in possession of the land in S.No.397, Plot No. 116, Sanarpuram Village, Thirunageswaram Panchayat for more than five decades had made an



application to the third respondent seeking for patta in their favour. In this connection the petitioners have sent a representation to the respondent on 11.04.2018 and since the representation has not been considered, the present writ petition has been filed.

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4. Today(i.e 07.06.2018) when the matter was called, the learned Standing Counsel for the sixth respondent submitted that the land in question is vested with their temple and the petitioners herein have no right to claim over the same.

5. The learned Additional Government Pleader on instructions submitted that as per Revenue Records the name of the sixth respondent finds place. Nevertheless, he would submit that they intend to pass appropriate orders on the representation given by the petitioner. In my view the decision to grant patta is vested with the third respondent herein and as such this Court may not be justified in directing the third respondent to possibly considering the petitioner's request.

6. Nevertheless since the representation is pending, it would be appropriate to direct the third respondent to consider on its own merits and pass orders within the stipulated time.

7. In the result, there shall be a direction to consider the petitioner representations with in a period three months from the date of receipt of a copy of this order. While passing final orders in the said representation, the third respondent herein shall give due opportunity to the sixth respondent and the petitioners and pass appropriate orders after considering the objections raised by the sixth respondent.

8. Since the petitioners came to be in possession of the subject land for more than five decades, there shall a direction to the respondents herein to refrain from disturbing their possession over the subject land till then.

9. With the above direction, this writ petition disposed of. No costs. Consequently connected miscellaneous petition are closed.

Sd/-

Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Secretary to Government,
Revenue Department,
Secretariat, Chennai- 600 009.



2. The Secretary,
Hindu Religious and Charitable Endowments
Department,
Government of Tamil Nadu,
Secretariat, Chennai-600 009.

3. The District Collector,
Thanjavur District,
Collectorate,
Thanjavur- 613 010.

4. The Sub Collector,
Kumbakonam,
Taluk Office Campus,
Kumbakonam- 612 001
Thanjavur District.

5. The Thasildhar,
Kumbakonam Taluk,
Taluk Office,
Kumbakonam- 612 001
Thanjavur District.

6. The Executive Officer cum Assistant
Commissioner of HR & CE,
Arulmighu Naganatha Swamy Koil,
Thirungeswaram,
Kumbakonam Taluk,
Kumbakonam,
Thanjavur District-612 204.

+2CC to Mr.R.Narayanan, Advocate, SR.Nos.67263,67295
+1CC to the Special Government Pleader SR.No.67361

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and
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11002 of 2018
07.06.2018

AAV
ES/SV/MMS/SAR 4/28.06.2018/4P/10C