



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.06.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P.(MD) No.13412 of 2018

V.Rathinagiri

... Petitioner

/vs./

1.The District Revenue Officer,
Sivagangai District,
Sivagangai.

2.Ramachandra Swamy

3.V.Kannan

4.Mahabooba Beebi

5.S.Vijayalakshmi

6.Muthuvalliappan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records of the 1st respondent in Pa.Mu.P4-42-2016, dated 31.05.2018 and quash the same and consequently directing the 1st respondent to grant Patta in favour of the Theepachi Amman Koil Trust in Survey No.247 (1) of Pudupatti Group Sakkanthi Village, Sivagangai District.

For Petitioner	:	Mr.G.Balasubramanian
For R-1	:	Mr.J.Gunaseelan Muthaiah Additional Government Pleader

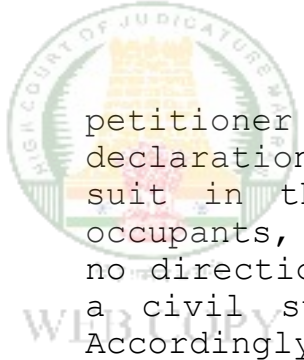
O R D E R

Mr.J.Gunaseelan Muthaiah, learned Additional Government Pleader, takes notice on behalf of the first respondent.

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

3. The petitioner challenges the order of the District Revenue Officer, Sivagangai, in his proceedings in Pa.Mu.P4-42-2016, dated 31.05.2018.

4. On perusal of the order of the first respondent, it is seen that to establish the title, the petitioner was directed to approach the civil Court. It is well settled that the revenue authority cannot decide the title, therefore, he has rightly directed the petitioner to approach the Civil Court. Hence, it is open to the



petitioner to approach the Civil Court and get a decree of declaration of title. It is also open to the petitioner to file a suit in the name of the temple against all the encroachers or occupants, whomsoever it may be, before the Civil Court. Therefore, no direction is required from this Court for the petitioner to file a civil suit. I do not find any merit in this writ petition. Accordingly, this Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar (T&P)

/True copy/

Sub Assistant Registrar

To:

The District Revenue Officer,
Sivagangai District,
Sivagangai.

+1cc to Mr.G.Balasubramanian, Advocate, SR.No.69852.

+1cc to Special Government Pleader, SR.No.69790.

Order made in
W.P. (MD) No.13412 of 2018
Dated: 25.06.2018

sm

RAM/SV/SAR 2/13.07.2018/2P/4C