



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.07.2019

CORAM

WEB COPY

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.(MD)No.16700 of 2012
and M.P.(MD)Nos.2 & 3 of 2012

Arulmigu Ammachiar and Ayyanar Temple,
Tirumal Village,
Tirumangalam Taluk,
Madurai District,
Through its Thakkar.

... Petitioner

Vs.

1.The Commissioner of Geology and Mining,
Guindy, Chennai - 600 032.

2.The District Collector,
Madurai.

3.The Tahsildar,
Tirumangalam, Madurai District.

4.Sree Meenakshi Mines through its
Partner N.Naganand,
49, Venkataraman Street,
Gugai, Salem - 636 006.

... Respondents

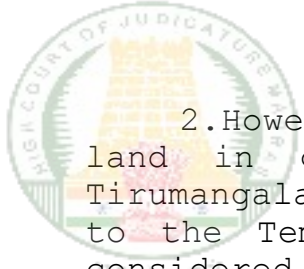
Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorari, calling for the records pertaining to the proceedings of the first respondent No.13239/MM4/2006 dated 09.07.2009 in respect of the property at S.Nos.150/1 and 150/2, Tirumal Village, Tirumangalam Taluk, Madurai District and quash the same.

For Petitioner : Mr.S.Manohar

For RR 1 to 3 : Mr.A.Thiyagarajan,
Government Advocate.

ORDER

At the outset, I am of the view that this Writ Petition is misconceived. Even according to learned counsel for the petitioner, the Temple is not the owner of the land as per Revenue Records at the time when the mining lease was granted to the fourth respondent.



2.However, learned counsel for the petitioner states that the land in question in S.Nos.150/1 and 150/2, Tirumal Village, Tirumangalam Taluk, Madurai District, has been granted under an Inam to the Temple. These questions however can hardly be raised or considered in a Writ Petition filed under Article 226 of the Constitution of India. The remedy of the petitioner lies before the appropriate Revenue Authorities and competent civil Courts.

3.This Writ Petition is, thus, dismissed granting liberty to the petitioner to seek its remedy before appropriate fora, in accordance with law. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(AE)

/TRUE COPY/

Sub Assistant Registrar

To

1.The Commissioner of Geology and Mining,
Guindy, Chennai - 600 032.

2.The District Collector,
Madurai.

3.The Tahsildar,
Tirumangalam, Madurai District.

+1 CC to M/s.S.MANO HAR, Advocate (SR-75182[F] dated 15/07/2019)

W.P. (MD) No.16700 of 2012
11.07.2019

PS
JM/29.07.2019/2P-5C