



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD) Nos.5868 and 5869 of 2019

and

W.M.P (MD) .Nos.4698, 7599, 7600, 4711 and 4712 of 2019

Karuppaiah @ Thirunavukkarasu

... Petitioner in W.P(MD).No.5868 of 2019

Meyyappan

... Petitioner in W.P(MD).No.5869 of 2019

Vs

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Tahsildar,
Devakottai Taluk,
Sivagangai District.

3.C.Sethu ... Respondents in both petitions

COMMON PRAYER: Petitions filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records pertaining to the impugned order passed by the second respondent vide his proceedings in Moo.Mu.A1-078-2019 being in the nature of the Minutes of the Peace Committee Meeting dated 27.02.2019 and quash the same.

In both petitions

For Petitioner: Mr.S.Madhavan

For R1 & R2 : Mr.M.Rajarajan
Government Advocate

For R3 : Mr.R.Aravindan

**COMMON ORDER**

Heard the learned counsel on either side.

2. The subject matter pertains to the Poojari rights in respect of the Vettai Iyanar Temple in Devakottai Taluk, Sivagangai District. There was a dispute between two parties. This is an issue that must be essentially resolved only by the jurisdictional civil Court. But then, the Tahsildar, Devakottai had passed the impugned order fixing the rotation rights of the parties. The Tahsildar will not have the jurisdiction to do so.

3. In this view of the matter, the order impugned in these Writ Petitions stand quashed. These Writ Petitions are allowed, accordingly. The parties are at liberty to workout their rights before the jurisdictional civil Court. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (W)

/ True Copy /

Sub Assistant Registrar (CS)

rmk

To

1. The District Collector,
Sivagangai District,
Sivagangai.

2. The Tahsildar,
Devakottai Taluk,
Sivagangai District.

+1 CC to M/s.R.ARAVINDAN, Advocate (SR-64850[F] dated 02/05/2019)
+1 CC to M/s.S.MADHAVAN, Advocate (SR-65128[F] dated 03/05/2019)
+1 CC to M/s.SPL GP (SR-65228[F] dated 03/05/2019)

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