



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.07.2019

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD) No.19360 of 2018

Vairavan Kovil Theyyanar Vaguppu Trust,
rep. by its Trustee
S.Meenakshi Sundaram

... Petitioner

-Vs-

1.The Commissioner of Land Administration,
Chepauk, Chennai - 600 005.

2.The Director of Survey and Settlement,
Survey House, Chennai - 600 005.

3.The District Collector,
Sivagangai.

... Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the respondents to consider the petitioner's request for change of erroneous classification of "Sarkar Poramkobe-Temple" into "Vairavan Kovil Theyyanar Vaguppu Trust" in S.No.374, Kanadukathan Revenue Village, Karaikudi Taluk, Sivagangai District.

For Petitioner : Mr.RM.Arun Swaminathan

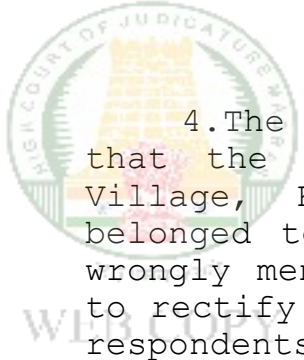
For Respondents : Mr.M.Rajarajan, G.A.

ORDER

The prayer in this writ petition is for a Writ of Mandamus, directing the respondents to consider the petitioner's request for change of erroneous classification of "Sarkar Poramkobe-Temple" into "Vairavan Kovil Theyyanar Vaguppu Trust" in S.No.374, Kanadukathan Revenue Village, Karaikudi Taluk, Sivagangai District.

2.Heard Mr.RM.Arun Swaminathan, learned counsel appearing for the petitioner and Mr.M.Rajarajan, learned Government Advocate appearing for the respondents.

3.With the consent of both sides, this writ petition is disposed of at the admission stage itself.



4.The learned counsel appearing for the petitioner would submit that the land in question in S.No.374 at Kanadukathan Revenue Village, Karaikudi Taluk, Sivagangai District, claimed to be belonged to the petitioner's Trust and in the patta, it has been wrongly mentioned as Sarkar Poramboke Temple. Therefore, in order to rectify the same, the petitioner has given representation to the respondents on 26.06.2018. Hence, the learned counsel appearing for the petitioner would submit that, the petitioner would confine with the prayer that, if the said representation given by the petitioner is considered on merits and an order to that effect is passed by the 1st respondent, who is the competent authority to decide the issue therein, the petitioner would be satisfied.

5.I have heard the learned Government Advocate appearing for the respondents, who would submit that, the said request of the petitioner dated 26.06.2018 would be decided on merits and an order to that effect would be passed by the 1st respondent.

6.Considering the limited scope of the prayer sought for herein, this writ petition is disposed of with the following direction:

"The 1st respondent is directed to consider the representation of the petitioner dated 26.06.2018 and pass orders, thereon, on merits and in accordance with law, after hearing the petitioner as well as the rival claimants, if any and final orders shall be passed, within a period of eight weeks from the date of receipt of a copy of this order."

7.With this direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Commissioner of Land Administration,
Chepauk, Chennai - 600 005.

2.The Director of Survey and Settlement,
Survey House,
Chennai - 600 005.



3.The District Collector,
Sivagangai.

+1 CC to M/s.RM.ARUN SWAMINATHAN, Advocate (SR-74441[F] dated
10/07/2019)

Order made in
W.P. (MD) No.19360 of 2018
Dated:
10.07.2019

Arul
JMN(29.08.2019) 3P : 5C