

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.09.2020

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

W.P.No.13407 of 2020

Arulmigu Kurungaleeswarar &
Vaikuntavasa Perumal Temple,
rep. by its Executive Officer,
Koyambedu, Chennai 600 107 .. Petitioner

Vs.

- 1.The Collector,
Thiruvallur District,
Thiruvallur.
- 2.The Tahsildar,
Office of the Tahsildar,
Poonamallee,
Thiruvallur District. .. Respondents

Prayer: Writ Petition filed under Section 226 of Constitution of India praying for issuance of Writ of Mandamus to direct the 2nd respondent to consider the representation of the petitioner dated 20.07.2020 and consequently issue patta in respect of land measuring 1.23 acres, situate in Survey No.176/2, Ayanambakkam Village, Poonamallee, Tiruvallur District.

For Petitioner : M/s. A.S. Kailasam and Associates

For Respondents: Mr. E. Balamurugane,
Spl. Govt. Pleader

O R D E R

This Writ Petition has been filed for the issue of Writ of Mandamus directing the 2nd respondent to issue patta in favour of the petitioner Temple pursuant to the orders passed by the District Revenue Officer, Thiruvallur, by his proceedings dated 26.10.2016.

2. It is seen from the records that the petitioner Temple is claiming ownership over the property right from the year 1892. It is also seen from the records that the District Revenue Officer, Thiruvallur, by proceedings dated 26.10.2016, after taking into

consideration all the documents, has directed the 2nd respondent to issue patta in the name of the temple. The persons who were illegally occupying the property belonging to the Temple, approached this Court seeking for patta and this Court dismissed the Writ Petition in W.P.No.10166 of 2014, by an order dated 20.09.2017.

3. The grievance of the petitioner is that the 2nd respondent is yet to act upon the directions given by the District Revenue Officer, by proceedings dated 26.10.2016 and even the subsequent representation given by the petitioner Temple has not been considered till date. Left with no other option, the petitioner has filed the present writ petition before this Court.

4. Heard Mr. E. Balamurugane, learned Special Govt. Pleader appearing on behalf of the respondents. Based on the written instructions received from the 2nd respondent, the learned Special Government Pleader submitted that immediate steps will be taken to consider the representation made by the petitioner/Temple in line with the earlier proceedings of the District Revenue Officer, Thiruvallur, dated 26.10.2016. Learned counsel submitted that this Court can fix some time limit for completing the said process.

5. Taking into consideration the facts and circumstances of the case, and also of the fact that the District Revenue Officer, Thiruvallur, in his proceedings dated 26.10.2016 has categorically found that the petitioner Temple is the owner of the property and also directed the 2nd respondent to issue patta, there shall be a direction to the 2nd respondent to act upon the said order and also the representation made by the petitioner Temple on 20.07.2020 and pass appropriate orders issuing patta in favour of the petitioner Temple, within a period of six weeks from the date of receipt of a copy of this order.

6. This Writ Petition is disposed of with the above directions. No costs.

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Sd/-
Assistant Registrar
//True Copy//

Sub Assistant Registrar

msr

To

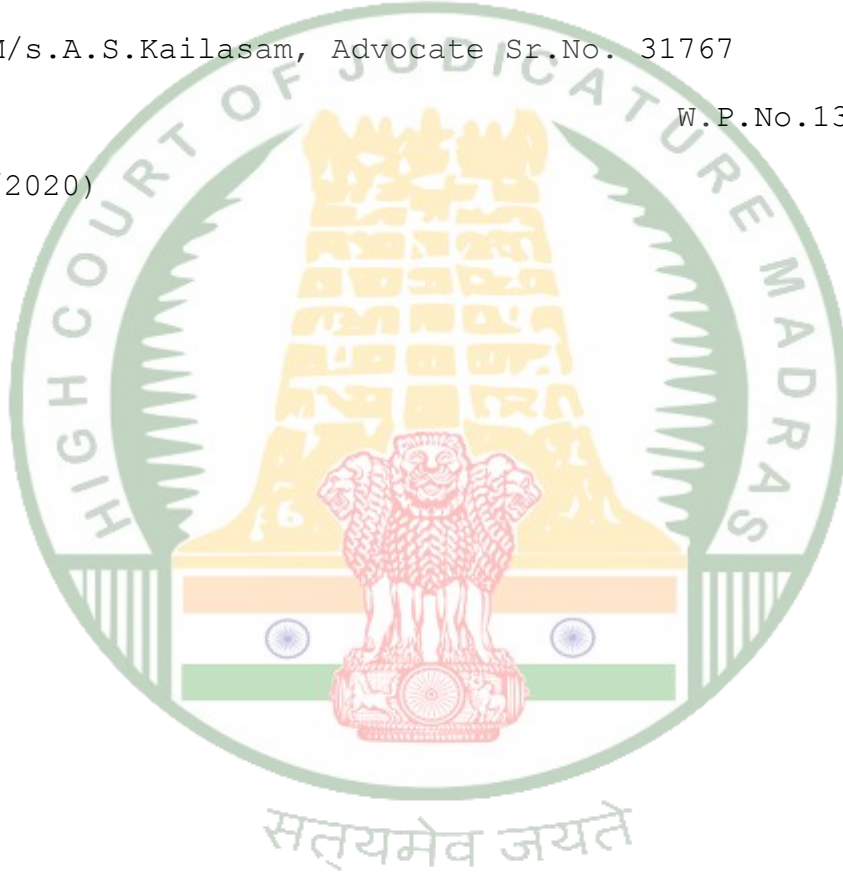
1.The Collector,
Thiruvallur District,
Thiruvallur.

2.The Tahsildar,
Office of the Tahsildar,
Poonamallee,
Thiruvallur District.

+1 cc to M/s.A.S.Kailasam, Advocate Sr.No. 31767

W.P.No.13407 of 2020

GP(CO)
RMP(21/10/2020)



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