

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.12.2020

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.18865 of 2020

Sri Velur Vaidhiyanathaswamy Devasthanam
Vaiteeswarankoil, Sirkali Taluk
Nagapattinam District.

Rep. by its Hereditary Trustee

Sri- La-Sri. Masilamani Desiga Gnanasambanda
Paramacharya Swamigal
Dharamapuram Adhinam
Dharmapuram, Mayiladuthurai - 609 001
Nagapattinam District.

...Petitioner

Vs.

- 1 The District Collector
Salem.
- 2 The Tahsildar
Salem
- 3 The Commisssioner
Salem Municipal Corporation.
- 4 The Joint Sub - Registrar No.3
Salem West, Salem.
- 5 Prabha @ Sivakribai
- 6 Sukantha Malika
- 7 Shanmugam
- 8 Sathish
- 9 Karthikeyan
- 10 Jamunarani
- 11 Kannan
- 12 Anthoni Maxwell
- 13 The Revenue Divisional Officer
Salem.

...Respondents

This Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus Directing the respondents 1 -3, more particularly 1st respondent to consider the representation of petitioner complaining wrongful deletion of petitioner Devasthanam's name in Revenue records without proper notice to petitioner and pass suitable orders for restoration of petitioner's name by conducting proper enquiry in accordance with law after notice to all the interested parties concerned within a stipulated time.

For Petitioner : Mr.S.Sounthar
For Respondents 1, 2 & 13 : Mr.K.Parameshwaran
Government Advocate
For Respondent-3 : Mr.S.Sathish

ORDER

The Revenue Divisional Officer, Salem is suo-motu impleaded as the 13th respondent in this Writ Petition.

2. This Writ Petition has been filed for the issue of a Writ of Mandamus directing the respondents to consider the representation made by the petitioner Temple, wherein the petitioner is seeking for cancellation of patta issued in favour of the father of the respondents 5 to 10 with respect to the subject property.

3. Mr.K.Parameshwaran, learned Government Advocate appearing on behalf of the respondents 1, 2 and 13 submitted that the representation made by the petitioner has been transferred to the file of the 13th respondent and the 13th respondent has called the parties for enquiry on 21.12.2020 at 3.00 p.m. The learned counsel further submitted that the representative of petitioner Temple can be present at the time of enquiry along with all the relevant documents.

4. Taking into consideration the facts and circumstances of the case and also of the fact that the Revenue Divisional Officer, Salem has already called the parties for enquiry, there shall be a direction to the 13th respondent to conduct enquiry after affording opportunity to the petitioner and respondents 5 to 12 and pass final orders strictly in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

Mra

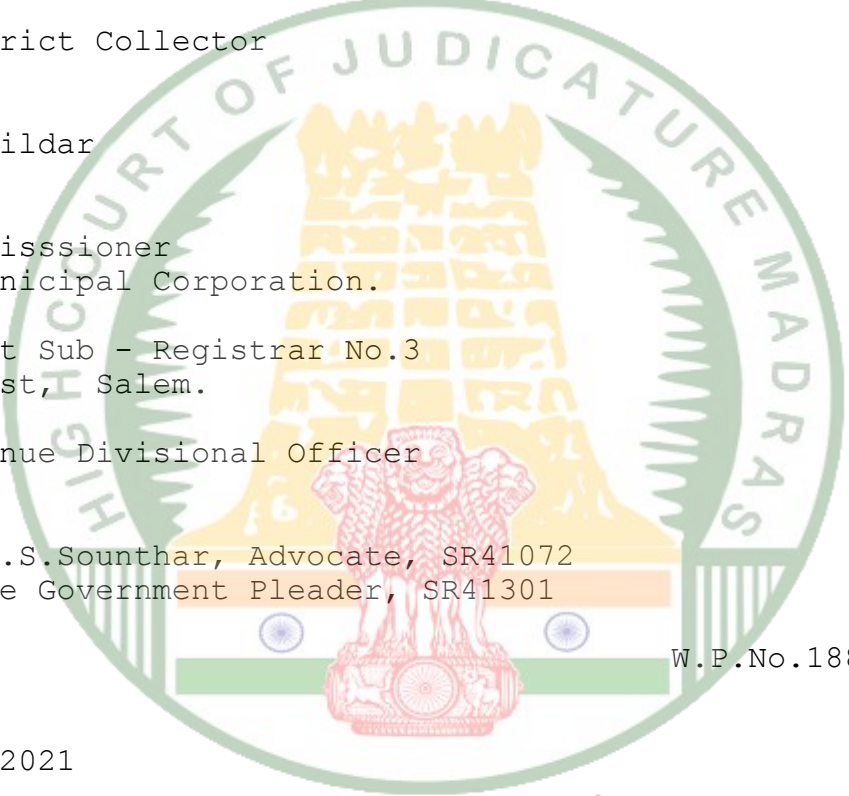
To

- 1 The District Collector
Salem.
- 2 The Tahsildar
Salem
- 3 The Commisssioner
Salem Municipal Corporation.
- 4 The Joint Sub - Registrar No.3
Salem West, Salem.
- 5 The Revenue Divisional Officer
Salem.

+1cc to Mr.S.Sounthar, Advocate, SR41072
+1cc to The Government Pleader, SR41301

W.P.No.18865 of 2020

CO(CP)
BDL/19/01/2021



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