



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Wednesday, the Eleventh day of November Two Thousand and Twenty

PRESENT

The Hon`ble Mr.Justice ABDUL QUDDHOSE

WMP(MD) No.13463 of 2020
IN
WP(MD) No.16067 of 2020

1 N.VELUSAMY
2 KALAISELVI
3 V.RAJAGOPALAN
4 KOKILAM
5 R.MAHESWARI
6 ARUNACHALAM

... PETITIONERS/ PETITIONERS

Vs

1 ARULMIGHU OUSHATHAPURISWARAR TEMPLE,
MARUNGAPALLAM, PERAVOORANI TALUK,
THANJAVUR DISTRICT,
REPRESENTED BY ITS EXECUTIVE OFFICER,

2 THE DISTRICT COLLECTOR
COLLECTORATE, THANJAVUR.

3 THE REVENUE DIVISIONAL OFFICER,
PATTUKOTTAI DIVISION, THANJAVUR DISTRICT.

4 THE THASILDAR
PERAVOORANI TALUK,
THANJAVUR DISTRICT.

... RESPONDENTS/ RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to restrain the respondents 2 to 4 by an order of injunction from interfering with the possession of lands belonging to 1st respondent comprised in S.No.40/3, 40/9, 41/6, 42/1 and 42/4 situate at Marungapallam Village and Taluk, Peravoorani, Thanjavur district pending disposal of Writ Petition.

Prayer in WP(MD). 16067/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, forbearing the respondents 2 to 4 from interfering with the possession of petitioners or granting patta for the lands comprised in S.No.40/3, 40/9, 41/6, 42/1 and 42/4 belonging to Arulmighu Oushathapuriswarar



Temple situates at Marungapallam Village and Taluk, Peravoorani, Thanjavur District grant such other further or other reliefs as are deemed fit and proper in the circumstances of the case and thus render justice.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.V.K.VIJAYARAGAVAN, Advocate for the petitioners and of Mr.V.CHANDRASEKAR, Standing Counsel for the 1st respondent and MR.A.MUTHUKARUPPAN, Additional Government Pleader for the respondents 2 to 4, the court made the following order:-

Mr.V.Chandrasekar, learned Standing counsel accepts notice of the first respondent and Mr.A.Muthukaruppan, learned Additional Government Pleader accepts notice for the respondents 2 to 4.

2. This writ petition has been filed for a Mandamus to forbear the respondents 2 to 4 from interfering with the possession of the petitioners or granting patta for the lands comprised in S.No.40/3, 40/9, 41/6, 42/1 and 42/4 belonging to Arulmighu Oushathapuriswarar Temple situated at Marungapallam Village and Taluk, Peravoorani, Thanjavur District.

3. It is the case of the petitioners that they are tenants in the first respondent temple and they are paying the rents to the first respondent regularly. It is their case that the Government is now attempting to issue pattas for the aforementioned properties to various parties claiming that the said land belongs to the Government. However, according to the petitioners, the aforesaid land belongs to the first respondent temple. In such circumstances, this writ petition has been filed.

4. The learned counsel appearing for the first respondent on instructions would submit that the first respondent Temple has preferred an appeal before the District Revenue Officer for correction of entries in the revenue records, which is pending consideration. He would further submit that the aforesaid lands, which are claimed by the Government, are disputed by the first respondent Temple and that is the reason for them to file an appeal before the District Revenue Officer for correction of revenue records.

5. The apprehension of the petitioners in this writ petition is that if pattas are issued by the Government in favour of various parties, the petitioners right to remain in possession in the aforesaid lands as lawful tenants under the first respondent Temple will be affected and they will be greatly prejudiced.

6. The learned counsel for the petitioners is satisfied if an interim injunction is granted restraining the respondents 2 to 4



from issuing pattas for the aforesaid properties, which are under occupation of the petitioners as tenants under the first respondent Temple.

7. Accordingly, there shall be an order of interim injunction restraining the respondents 2 to 4 from issuing pattas in favour of third parties in respect of lands, which are under occupation of the petitioners, comprised in S.No.40/3, 40/9, 41/6, 42/1 and 42/4 belonging to Arulmighu Oushathapuriswarar Temple situated at Marungapallam Village and Taluk, Peravoorani, Thanjavur District.

8. Post the matter for filing counter on 10.12.2020.

sd/-
11/11/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

TO

1 THE DISTRICT COLLECTOR
COLLECTORATE, THANJAVUR.

2 THE REVENUE DIVISIONAL OFFICER,
PATTUKOTTAI DIVISION, THANJAVUR DISTRICT.

3 THE THASILDAR
PERAVOORANI TALUK,
THANJAVUR DISTRICT.

+1 CC to M/s.V.K.VIJAYARAGAVAN, Advocate (SR-7555[I] dated 19/11/2020)

ORDER IN
WMP(MD) No.13463 of 2020
IN
WP(MD) No.16067 of 2020
Date :11/11/2020

MS/VR/SAR-3/20.11.2020/3P.5C