



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated 01.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P. (MD) No.16383 of 2020

(Through Video Conferencing)

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... Petitioner

Vs.

1.The District Collector,
Sivagangai District.

2.The Tahsildar,
Kalayarkoil Taluk
Sivagangai District.

3.The President
Kalayarkoil Panchayat,
Sivagangai District.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to forbear the 3rd respondent from enter into the property in S.No.185/1 of an extent of 2.42.5 Ares belonged to Sri Velmelnadantha Amman temple, Kalayarkoil and direct the 1st and 2nd respondents to issue patta in the name of the temple in respect of the property by considering the representation dated 14.09.2020.

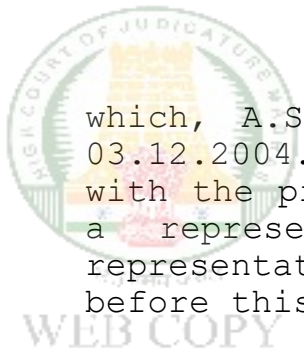
For Petitioner : Mr.S.Madhavan
For Respondents : Mr.P.Kannithevan for R1, R2
Addl.Government Pleader
Mr.S.Angappan for R3

O R D E R

The writ petition has been filed for a direction to forbear the 3rd respondent from enter into the property in S.No.185/1 of an extent of 2.42.5 Ares belonged to Sri Velmelnadantha Amman temple, Kalayarkoil and direct the 1st and 2nd respondents to issue patta in the name of the temple in respect of the property by considering the representation dated 14.09.2020.

2.Heard the learned counsel for the petitioner as well as the learned Additional Government Pleader for R1 & R2 and the learned counsel for the third respondent.

3.According to the petitioner, the land in question belongs to the deity Sri Velmelnadantha Amman Temple of Sivagangai Devasthanam. While so, the third respondent is trying to interfere with the possession by putting up construction. Therefore, a suit in O.S.No.215/1995 came to be filed, which was dismissed. Against



which, A.S.No.71/2002 has been filed and the same is allowed on 03.12.2004. While so, the third respondent is trying to interfere with the property of the temple and hence, the petitioner preferred a representation to the 1st respondent. Since the said representation has not been considered so far, the petitioner is before this Court with this writ petition.

4. When the matter is taken up for hearing, the learned Additional Government Pleader would submit that the representation of the petitioner would be considered by the 1st respondent in accordance with law, if the petitioner produces necessary documents.

5. In view of the said submission, this writ petition is disposed of directing the first respondent to consider the representation of the petitioner dated 14.09.2020 in accordance with law. It is made clear that the petitioner shall produce the necessary genuine documents to prove his case. The said exercise shall be considered by the first respondent within a period of four months from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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,
Sivagangai District.

2. The Tahsildar,
Kalayarkoil Taluk
Sivagangai District.

+1 CC to M/s.SPL GP (SR-23649[F] dated 02/12/2020)

W.P. (MD) No.16383 of 2020
01.12.2020

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KB(21.12.2020) 2P 4C