



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **10.12.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **S.VAIDYANATHAN**

W.P(MD)No.18156 of 2020

G.Ammaiyappan

Hereditary Trustee of Arulmigu Sri Selva Vinayagar Temple,

L.N.Pura,

Aranthangi Town,

Pudukottai District.

... Petitioner

Vs.

1.The District Collector,

Pudukkottai District,

Pudukkottai.

2.The Tahsildar,

Aranthangi Taluk,

Aranthangi,

Pudukkottai District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the second respondent to register the patta and carry out the same in the Revenue Records in the name of Arulmigu Selva Vinayagar Temple, L.N.Puram Aranthangi Town, Pudukkottai District in respect of 1.S.F.Nos.203/13 (T.S.No.4 Ward D, Block 14 of Aranthangi Municipality) with an extent of 4.52 acres, 2.S.F.No.206/62 (T.S.No.206/1B Ward D, Block 13 of Aranthangi Municipality) with an extent of 86 cents, 3.S.F.No.206/63 (T.S.No.206/1B Ward D, Block 13 of Aranthangi Municipality) with an extent of 0.26 cents, 4. S.F.No.202/8 (T.S.No.34 Ward D Block 19 of Aranthangi Municipality) with an extent of 0.68 cents, 5.S.F.No.203/12 (T.S.No.36 Ward D, Block 15 and T.S.No.1, Ward D, Block 14 of Aranthangi Municipality) 0.82 cents and 6.S.F.No.203/14 (T.S.No.45 Ward D, Block 13 of Aranthangi Municipality) with an extent of 2.72 acres situated at L.N.Puram, Pallathivayal Village, Aranthangi 149, Aranthangi Taluk, Pudukkottai District by considering the representations of the petitioner dated 13.03.2020, 13.06.2020, 26.06.2020, 29.06.2020, 03.07.2020, 21.08.2020 and 17.09.2020.

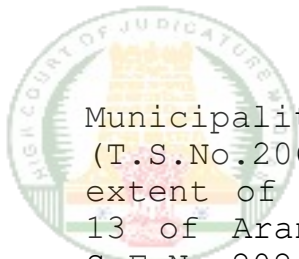
For Petitioner : Mr.K.Baalasundaram

For Respondents : Mr.M.Muniyasamy

Additional Government Pleader

ORDER

This writ petition has been filed for issuance of a direction to the second respondent to register the patta and carry out the same in the Revenue Records in the name of Arulmigu Selva Vinayagar Temple, L.N.Puram Aranthangi Town, Pudukkottai District in respect of 1.S.F.Nos.203/13 (T.S.No.4 Ward D, Block 14 of Aranthangi



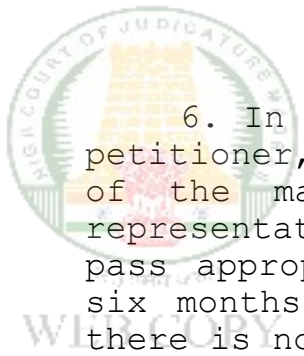
Municipality) with an extent of 4.52 acres, 2.S.F.No.206/62 (T.S.No.206/1B Ward D, Block 13 of Aranthangi Municipality) with an extent of 86 cents, 3.S.F.No.206/63 (T.S.No.206/1B Ward D, Block 13 of Aranthangi Municipality) with an extent of 0.26 cents, 4. S.F.No.202/8 (T.S.No.34 Ward D Block 19 of Aranthangi Municipality) with an extent of 0.68 cents, 5.S.F.No.203/12 (T.S.No.36 Ward D, Block 15 and T.S.No.1, Ward D, Block 14 of Aranthangi Municipality) 0.82 cents and 6.S.F.No.203/14 (T.S.No.45 Ward D, Block 13 of Aranthangi Municipality) with an extent of 2.72 acres situated at L.N.Puram, Pallathivayal Village, Aranthangi 149, Aranthangi Taluk, Pudukkottai District by considering the representations of the petitioner dated 13.03.2020, 13.06.2020, 26.06.2020, 29.06.2020, 03.07.2020, 21.08.2020 and 17.09.2020.

2. Mr.M.Muniyasamy, learned Additional Government Pleader takes notice for the respondents. By consent, the writ petition is taken up for disposal at the admission stage itself.

3. The case of the petitioner is that the petitioner and his brothers are hereditary Tustee of the Arulmigu Selva Vinayagar Temple, Aranthangi Town. The above mentioned properties are situated in L.N.Puram, Aranthangi Town, Pudukkottai District. The Revenue Officials wrongly classified the temple properties as Government Poromboke and Anadhinam during re-settlement period. When the petitioner came to know the above said fact, he sent a representation to the revenue officials to register the Trustees name of the temple in patta as well as other revenue records. But, the respondents did not take any coercive steps. Hence, the petitioner and his brothers filed a declaration suit in O.S.No.103 of 2007 before the District- Munsif Court, Aranthangi and the trial court partly decreed the suit. Aggrieved over the same, the petitioner and his brothers preferred first appeal in A.S.No.23 of 2019 before the Sub-Court, Aranthangi- and the Appellate Court allowed the appeal and decreed the suit as prayed for by judgement dated 13.02.2020. In pursuance of the decree of the first Appellate Court, the petitioner requested the respondents to register the Temple Trustees name in patta in respect of the suit properties belonging to the temple through his representation dated 21.08.2020. But, there was no response from the second respondent till date. Hence the petitioner approached this Court with the aforesaid prayer.

4.Learned counsel for the petitioner would submit that it would suffice, if the representation of the petitioner dated 21.08.2020 is disposed of by the second respondent at the earliest after providing adequate opportunity to the petitioner.

5. Learned Additional Government Pleader appearing for the respondents would submit that the second respondent is prepared to consider the representation of the petitioner and to pass suitable



6. In view of the limited scope of the prayer sought for by the petitioner, this Court, without expressing any opinion on the merits of the matter, directs the first respondent to consider the representation dated 21.08.2020 submitted by the petitioner and to pass appropriate orders in accordance with law within a period of six months from the date of receipt of a copy of this order, if there is no legal impediment to do so.

7. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

PJL

To

1.The District Collector,
Pudukkottai District,
Pudukkottai.

2.The Tahsildar,
Aranthangi Taluk,
Aranthangi,
Pudukkottai District.

W.P (MD) No.18156 of 2020
10.12.2020

MJ(CO)

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