



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.22683 of 2019

Angamuthu, S/o.Sellaiya Servai

... Petitioner

Vs.

1.The District Collector,
Ramanathapuram.

2.The District Revenue Officer,
Ramanathapuram.

3.The Thasildar,
Thiruvadanai.

4.The Joint Commissioner of Tamil Nadu
HR & CE Department,
Ramanathapuram.

... Respondents

[R4 suo motu impleaded, vide order
dated 25.10.2019, made in W.P.(MD)
No.22683/2019]

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, to direct the respondents to consider the representation of the petitioner, dated 02.08.2019 and thereby, grant Patta in the name of the Temple to the land in S.F.No.229/7, measuring 3.01.5 Hectare, situated in Veerasingamadam Village, Thiruvadanai Taluk, Ramanathapuram.

For Petitioner : Mr.J.Madhu

For R1 to R3 : Mr.M.Rajarajan
Government Advocate

For R4 : Mr.VR.Shanmuganathan
Special Government Pleader

ORDER

The petitioner has come up with the present Writ Petition for a Mandamus, to direct the respondents to consider his representation, dated 02.08.2019 and thereby, grant Patta in the name of the Temple to the land in S.F.No.229/7, measuring 3.01.5 Hectare, situated in Veerasingamadam Village, Thiruvadanai Taluk, Ramanathapuram.



2.It is the case of the petitioner that he is the Trustee of Muniyaa Kovil, situated at Veerasingamadam Village. The property, bearing S.F.No.229/7, measuring an extent of 3.01.5 Hectares, situated in the said Village, is in possession and enjoyment of the Temple. In the year 2009, the third respondent herein claimed that the said property belongs to the Government and tried to demolish the Temple. Hence, the petitioner as a Trustee of the Temple, filed a suit in O.S.No.7 of 2009 before the District Munsif Court, Thiruvadanai, for declaration and injunction restraining the respondents 1 and 3 herein from demolishing the Temple. The said suit was decreed on 22.06.2009. Against the said judgment and decree, the respondents herein had not filed any appeal and hence, the said decree has become final. Subsequently, the said property was altered as 'Poramboke' by the third respondent. Therefore, the petitioner made a representation in person to the third respondent to restore the Patta in the name of the Temple. Since no action was taken, the petitioner has filed the present Writ Petition for the relief stated supra.

3.Mr.M.Rajarajan, learned Government Advocate appearing for the respondents 1 to 3 submits that the representation of the petitioner, dated 02.08.2019, would be considered by the third respondent and an order to that effect would be passed thereon, on merits and in accordance with law, within a time frame to be fixed by this Court.

4.Recording the abovesaid submission made by the learned Government Advocate appearing for the respondents 1 to 3, this Court directs the third respondent to consider the representation of the petitioner, dated 02.08.2019, and pass orders on merits and in accordance with law after providing an opportunity to the interested parties, within a period of six months from the date of receipt of a copy of this order.

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

Sd/-

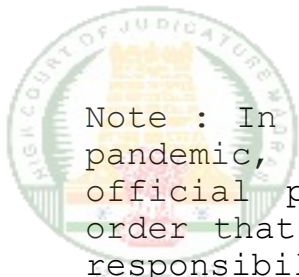
Assistant Registrar (Crl.Side)

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Sub Assistant Registrar(CS)

Smn2



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WEB COPY

To

- 1.The District Collector,
Ramanathapuram.
- 2.The District Revenue Officer,
Ramanathapuram.
- 3.The Thasildar,
Thiruvadanai.
- 4.The Joint Commissioner of Tamil Nadu
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AP(17/07/2020) 3P 5C