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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.07.2021

CORAM

THE HONOURABLE MR. JUSTICE T. RAJA
AND
THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

W.A. No. 1743 of 2012

The Executive Officer,
Vedharanyswara Swamy Devasthanam,
Vedharanyam Town and Taluk,
Nagapattinam District.

...Appellant / 7th Respondent

Vs

1.Vedharanyam Nagara Pattanam Manai
Kudiyiruppor (Anubavatharar)
Nala sangam, Vedharanyam,
rep. by it Secretary
G. Sankaravadivelu,
50/19, South Street, Vedharanyam,
Vedharanyam Taluk and Town,
Nagapattinam District - 614 510.

...Respondent / Petitioner

2.The Secretary to Government,
Government of Tamil Nadu,
Revenue Department,
Fort St. George, Chennai - 600 005.

3.The Commissioner for Land
Administration, Ezhilagam,
Chennai - 600 005.

4.The Settlement Officer
(Inam Abolition & Conversion
into Ryotwari), Ezhilagam,
Chepauk, Chennai - 600 005.

5.The District Collector,
Office of the Collectorate,
Nagapattinam, Nagapattinam District.

6.The Tahsildar,
Vedharanyam Taluk,
Vedharanyam Town,
Nagapattinam District.



7. The Joint Commissioner,
Hindu Religious and Charitable
Endowment Department,
Thanjavur, Thanjavur District.

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...Respondents / Respondents 1 to 6

Prayer: Writ Appeal as against the order dated 05.03.2012 passed in W.P. No. 5143 of 2012.

Prayer in W.P. No.5143 of 2012 : To issue a Writ of Mandamus, directing the respondents 1 to 4 to take necessary steps to issue absolute pattas to the members of the petitioner Association by extending their building pattas to include the pattas for the site on which the building stands in Vedaranyam Pattinam Village, Vedaranyam Taluk, Nagapattinam District thereby restraining the Sixth respondent from interfering with the peaceful possession of the members of the petitioner association.

For Appellant : Mr.R.Karthikeyan for
Mr.R. Bharanidharan

For Respondents : No appearance for R1
Mr.T. Arunkumar
Govt. Advocate for R2 to R7

J U D G M E N T

(Judgment of the Court was delivered by T. RAJA, J.)

The matter is heard through videoconferencing.

2. This writ appeal is directed against the order dated 05.03.2012 passed in W.P. No. 5143 of 2012.

3. The 1st respondent herein had filed the writ petition for issuance of a Writ of Mandamus directing respondents 2 to 5 herein to take necessary steps to issue absolute patta to the members of the 1st respondent association by extending their building pattas to include the pattas for the site on which the building stands in Vedaranyam Pattinam Village, Vedaranyam Taluk, Nagapattinam District thereby restraining the Joint Commissioner, HR & CE from interfering with the peaceful possession of the members of the 1st respondent association.

4. After hearing the parties on either side, the learned Single Judge, while holding that there cannot be any impediment on the side of the respondents therein, particularly, the Settlement Officer, to consider the case of the 1st respondent



herein and grant patta for the land in which they are in occupation for long years, had only directed respondents 2 to 6 herein to consider the representation of the writ petitioner/1st respondent herein and pass orders on merits and in accordance with law after giving due opportunity of hearing to the writ petitioner/1st respondent and the temple, namely, the Joint Commissioner, HR & CE and the Executive Officer of Vedaranyeswara Swamy Devasthanam within a stipulated time.

5. There is no positive direction, as such, issued to grant patta to the 1st respondent herein/writ petitioner and an opportunity of hearing had also been ordered to be given to the parties concerned before orders could be passed on the representation of the writ petitioner/1st respondent herein. The appellant can always express his grievance/objections before the authority concerned, who is to pass orders on the representation of the writ petitioner/1st respondent herein.

6. That being so, this Court finds no reason to entertain the appeal. Hence, the writ appeal stands dismissed. No costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

nv

To

- 1.The Secretary to Government,
Government of Tamil Nadu,
Revenue Department,
Fort St. George, Chennai - 600 005.
- 2.The Commissioner for Land
Administration, Ezhilagam,
Chennai - 600 005.
- 3.The Settlement Officer
(Inam Abolition & Conversion
into Ryotwari), Ezhilagam,
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5.The Tahsildar,
Vedharanyam Taluk,
Vedharanyam Town,
Nagapattinam District.

6.The Joint Commissioner,
Hindu Religious and Charitable
Endowment Department,
Thanjavur, Thanjavur District.

+1cc to Mr.S.K.Rakhunathan, Advocate SR.No.35191

+1cc to Ln.V.Kasinatha Bharathi, Adocate SR.No.35512

+1cc to the Government Pleader, SR.No.35733, 35608

W.A. No. 1743 of 2012

AJS (CO)
RVM(19/08/2021)