



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.07.2021

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P. Nos.15123, 9727, 9728, 9726, 9729, 9730,
9731, 14338, 26774 & 42167 of 2016 and
WMP.Nos.12517, 12518 & 13178 of 2016

1.Chellamuthu	
2.K.Palanisamy	...PETITIONERS IN WP. 15123/2016
VELUMANI	...PETITIONER IN W.P.NO.9727 OF 2016
VELUSAMY	
S/O PALANISAMY GOUNDER	...PETITIONER IN W.P.NO.9728 OF 2016
VELUSAMY	
S/O KUPPUSAMY GOUNDER	...PETITIONER IN W.P.NO.9726 OF 2016
CHINNASAMY	...PETITIONER IN W.P.NO.9729 OF 2016
MUTHUSAMY GOUNDER	...PETITIONER IN W.P.NO.9730 OF 2016
PONNUSAMY	
S/O SEMMALAI GOUNDER	...PETITIONER IN W.P.NO.9731 OF 2016
BAVALATHAL	...PETITIONER IN W.P.NO.14338 OF 2016
PONNUSAMY	
S/O PALANISAMY GOUNDER	...PETITIONER IN W.P.NO.26774 OF 2016
CHELLAMUTHU	...PETITIONER IN W.P.NO.42167 OF 2016

Vs

1. The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Jail Road, Coimbatore - 18.
 2. The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Tiruppur.
 3. The Executive Officer,
Arulmigu Soleeswarar Swamy Thirukovil,
Moolanur, Dharapuram Taluk,
Tiruppur District.
- ...Respondents in WPS.15123,
14338 & 42167/2016



- 1 THE DISTRICT COLLECTOR,
TIRUPPUR DISTRICT, TIRUPPUR.
- 2 THE TAHSILDAR,
DHARAPURAM TALUK, TIRUPPUR DISTRICT.
- 3 THE JOINT COMMISSIONER,
HINDU RELIGIOUS & CHARITABLE ENDOWMENT DEPARTMENT,
COIMBATORE-18.
- 4 THE EXECUTIVE OFFICER,
ARULMIGU CHOLEESWARAR SWAMY THIRUKOIL,
MULANUR, DHARAPURAM TALUK, TIRUPPUR DISTRICT.

... RESPONDENTS 1 TO 4 in WP Nos.9727,
9728, 9726, 9729, 9730, 9731, 26774
of 2016

PRAYER in WP 15123/2016: Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of mandamus forbearing the respondents from evicting the petitioner in so far relates to the lands in S.Nos.1959 to the extent of 4.90 acres, 1963 to the extent of 11.30 acres, 1961 to the extent of 060 cents and 1962 to the extent of 1.28 acres respectively totaling in all to the extent of 0.52.00 hectares situated at Vellavavipudur Village, Dharapuram Taluk, Tiruppur District.

Prayer in WP No.9727 of 2016: Petition filed under Article 226 of the Constitution of India praying for the issuance of writ of Mandamus directing the Respondents 1 & 2 to issue a Patta in the name of the petitioner for his agricultural lands comprised in Survey No.1917/1 (3-Acres) of Mulanur Village, Dharapuram Taluk, Tiruppur District.

Prayer in WP No.9728 of 2016: Petition filed under Article 226 of the Constitution of India praying for the issuance of writ of Mandamus directing the Respondents 1 & 2 to issue a Patta in the name of the petitioner for his agricultural lands comprised in Survey No.1974/3 (1-Acre and 50 Cents), Survey No.1986 (0.50 cents), Survey No.1977 (3-Acres and 25 cents) and Survey No.1978 (0.25 cents) of Mulanur Village, Dharapuram Taluk, Tiruppur District.

Prayer in WP No.9726 of 2016: Petition filed under Article 226 of the Constitution of India praying for the issuance of writ of Mandamus directing the Respondents 1 & 2 to issue a Patta in the name of the petitioner for his agricultural lands comprised in Survey No.1934/3 (8-Acres), Survey No.1937 (6 Acres), Survey No.1964 (10 Acres and 74 cents) and Survey No.1965/2 (1 Hectare



and 94.5 Acres = 4.80 Acres) of Mulanur Village, Dharapuram Taluk, Tiruppur District.

Prayer in WP No.9729 of 2016: Petition filed under Article 226 of the Constitution of India praying for the issuance of writ of Mandamus directing the Respondents 1 & 2 to issue a Patta in the name of the petitioner for his agricultural lands comprised in Survey No.1974/3 (1-Acre and 50 cents), Survey No.1986 (0.50 cents), Survey No.1977 (3-Acres and 25 cents) and Survey No.1978 (0.25 cents), of Mulanur Village, Dharapuram Taluk, Tiruppur District.

Prayer in WP No.9730 of 2016: Petition filed under Article 226 of the Constitution of India praying for the issuance of writ of Mandamus directing the Respondents 1 & 2 to issue a Patta in the name of the petitioner for his agricultural lands comprised in Survey No.1920 (1 Acre and 25 Cents) of Mulanur Village, Dharapuram Taluk, Tiruppur District.

Prayer in WP No.9731 of 2016: Petition filed under Article 226 of the Constitution of India praying for the issuance of writ of Mandamus directing the Respondents 1 & 2 to issue a Patta in the name of the petitioner for his agricultural lands comprised in Survey No.1934/3 (1-Acre), Survey No.1933 (3 Acres), Survey No.1937 (4 Acres), Survey No.1979 (1 Acre and 50 cents) and Survey No.1980 (4 Acres and 60 Cents) of Mulanur Village, Dharapuram Taluk, Tiruppur District.

Prayer in WP No.14338 of 2016: Petition filed under Article 226 of the Constitution of India praying for the issuance of writ of Certiorari, Calling for the entire records relating to the impugned order passed by the 1st respondent in his proceedings Misc. Petition No.61/ 2011/ B1, dated 20.05.2014 and quash the same.

Prayer in WP No.26774 of 2016: Petition filed under Article 226 of the Constitution of India praying for the issuance of writ of Mandamus directing the respondents 1 & 2 to issue a patta in the name of the petitioner of his agricultural lands comprised in Survey No.1920 (3-Acres and 80 cents) of Moolanur Village, Dharapuram Taluk, Thiruppur District.

Prayer in WP No.42167 of 2016: Petition filed under Article 226 of the Constitution of India praying for the issuance of writ of Certiorari calling for the entire records relating to the impugned public auction issued by the 3rd respondent dated 04.11.2016 and quash the same.

For Petitioner : Mr.E.J.Ayyappan (in W.P. Nos.
9727, 9728, 9726, 9729,
9730, 9731, 26774 of 2016)



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No Appearance (in W.P.Nos.15123,
42167 & 14338 of 2016)

For Respondents : Mr.N.R.R.Arun Natarajan
Government Advocate
(for R1 & R2 in W.P.Nos.15123,
42167 & 14338 of 2016)
(for R1 to R3 in W.P. Nos. 9727,
9728, 9726,9729, 9730,
9731, 26774 of 2016)
Mr.Wilson Topaz
for M/s.A.S.Kailasam Associates
(for R3 in W.P.Nos.15123, 42167 &
14338 of 2016)
(for R4 in W.P. Nos. 9727, 9728,
9726,9729, 9730, 9731,
26774 of 2016)

COMMON ORDER

The petitioner in W.P.No.15123 of 2016 seeks a mandamus forbearing the respondents from evicting him from the properties occupied by him. The petitioners in WP.Nos.9726 to 9731 & 26774 of 2016 seeks ryotwari patta in respect of lands owned by them and those in W.P.Nos.42167 & 14338 of 2016 seek a certiorari quashing orders dated 04.11.2016 and 20.05.2014.

2. Bearing in mind the nature of prayers sought as well as the submission of Mr.Wilson Topaz, learned counsel for the Soleeswarar Swamy Thirukovil, Tirupur District to the effect that proceedings under Section 78 have become final as against all petitioners and possession has also been taken as early as in 2016, these writ petitions are dismissed. Connected miscellaneous petitions are closed. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

VS



To

1. The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Jail Road, Coimbatore - 18.

2. The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Tiruppur.

3. The District Collector,
Tiruppur District,
Tiruppur.

4. The Tahsildar,
Dharapuram Taluk,
Tiruppur District.

+1 CC to Mr.A.S.Kailasam & Associates, Sr 33316.

+1 CC to The Government Pleader, Sr 34391.

W.P. Nos.15123, 9727, 9728, 9726, 9729, 9730,
9731, 14338, 26774 & 42167 of 2016 and
WMP.Nos.12517, 12518 & 13178 of 2016

SKY(CO)
LS(26/08/2021)