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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2021

CORAM :

THE HONOURABLE MR. JUSTICE S.M. SUBRAMANIAM

W.P.No.31847 of 2013

P.Suganeswaran.

... Petitioner

Vs.

1.The District Collector,
Namakkal District.

2.The District Revenue Officer
Namakkal.

3.The Tahsildar,
Rasipuram.

4.Thangavelu

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 to 3 to consider the petitioner's representation dated 24.09.2013 and pass orders on the same in accordance with law within a stipulated period.

For Petitioner : Mr. S.Sounthar
for Mr.B.Jawahar

For Respondents 1 to 3 : Mr.C.Satish
Government Advocate

For Respondent 4 : Mr.A.S.Palanisamy

O R D E R

The present Writ Petition is filed to direct the respondents 1 to 3 to consider the petitioner's representation dated 24.09.2013. The grievances of the Writ Petitioner is that patta has to be granted in respect of the Vinayagar Temple constructed by his forefathers.



2. The counter filed by the respondents reveal that the said property is a Government Paramboke land and paragraph nos.4 and 5 of the said counter reveals the following facts:-

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4) The respondents further submit that Namagiripettai village in Rasipuram Taluk is a big village and a trade centre and also a Town Panchayat. Among the various community if people residing in Namagiripettai village, a cluster of people belonging to Kannada Saineegar Community numbering about 224 families are residing. There is a Pillayar Temple in the Natham Survey No.369/31 with an extent 0.1675.0 under the name and style Sri Selva Ganapathy Temple. The said land is classified as Poramboke in the village records.

5) The respondents further submits that the Writ Petitioner was called for enquiry and during the said enquiry, he has stated that the temple is being managed by the Associations viz., Namagiripettai Sri Someswara Kannada Samugha Sangam consisting of 224 families about 14 decades and further states that electricity connection came to be obtained in the name of the temple about 65 years back and important festivals such as Sivarathiri, Thai Festival, Vinayakar Chathurthi, Gown Viradham and Panguni Uthiram and other marriage rites were also being conducted and sought for issuance of patta in the name of the temple.

3. In view of the above facts and circumstances, the direction as if sought for need not to be considered by this Court, more so, after this length of time. As far as Government Paramboke lands are concerned the petitioner cannot claim any right. Accordingly, the Writ Petition stands dismissed. No costs.

Sd/-

Assistant Registrar(CS-IV)

// True Copy //

Sub Assistant Registrar

shr/kan



To

1.The District Collector,
Namakkal District.

2.The District Revenue Officer
Namakkal.

3.The Tahsildar,
Rasipuram.

+lcc to Mr.S.Sounthar, Advocate SR.No.63200

+lcc to Mr.A.S.Palanisamy, Advocate SR.No.63240

+lcc to the Government Pleader, SR.No.63500

W.P.No.31847 of 2013

CP(CO)
CB(20/12/2021)