



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2021

CORAM:

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THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD).No.8538 of 2021

and W.M.P.(MD).No.6423 of 2021

R.Pichai

... Petitioner

Vs.

1.The Executive Officer,
Hindu Religious and Charitable Endowment,
Kadavoor Arulmigu Karunaigiri Perumal Temple,
Idayappatti East,
Kadavoor Taluk,
Karur District.

2.The District Revenue Officer,
Karur.

3.The Revenue Divisional Officer,
Kulithalai,
Karur District.

4.The Tahsildar,
Taluk Office,
Kadavoor Taluk,
Karur District.

5.The Village Administrative Officer,
Idapatti East Village,
Kadavoor Taluk,
Karur District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, for the issuance of Writ of Certiorarified Mandamus, calling for the records relating to the patta No.3020, issued by the 4th respondent in favour of the 1st respondent in respect of the S.No.826 measuring Hectares 4.45.00 at Idayappatti East Village, Kadavoor Panchayat and Taluk, Karur District and quash the same and subsequently, direct the 4th respondent to put the patta No.1205 on record.



For Petitioner : Mr.N.Mohan

For Respondent : Mr.K.P.Narayanakumar
Special Government Pleader

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ORDER

This writ petition has been filed challenging the patta issued in favour of the first respondent temple and for a consequential direction to direct the fourth respondent to restore the original patta that was granted in patta No.1205.

2.The case of the petitioner is that he had purchased the subject property by virtue of a registered sale deed, dated 30.06.2014. Thereafter, the name of the petitioner was also added in the joint patta that was issued in joint patta No.1205 by the fourth respondent.

3.The grievance of the petitioner is that the patta was subsequently mutated in the name of the first respondent in patta No.3020 with respect to the subject property and according to the petitioner, this was done without putting the petitioner on notice. The petitioner made representations to the respondents 3 and 4 in this regard and sought for the restoration of the original patta.

4.It is seen from the records that the fourth respondent had directed the fifth respondent to submit a report through his letter, dated 31.01.2018. That apart the second respondent had also directed the third respondent to enquire into the issue and inform the petitioner. According to the petitioner, there was absolutely no progress in the enquiry and therefore, left with no other option, the present writ petition has been filed before this Court.

5.Heard N.Mohan, learned counsel for the petitioner and Mr.K.P.Narayanakumar, learned Special Government Pleader for the respondents.

6.Taking into consideration the facts and circumstances of the case and also the fact that the representation/petition submitted by the petitioner is pending before the third respondent, there shall be a direction to the third respondent to consider the representation made by the petitioner, after giving opportunity to the petitioner and the first respondent temple and pass orders strictly in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

7.The petitioner is directed to make a fresh representation to the third respondent along with all the relevant documents and also a copy of this order.



8.This writ petition is disposed of with the above directions.
No costs. Consequently, connected miscellaneous petition is closed.

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// True Copy //

Sd/-

Assistant Registrar (T&P)

/ /2021

Sub Assistant Registrar(CS)

TM

To

- 1.The Executive Officer,
Hindu Religious and Charitable Endowment,
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Karur District.
- 5.The Village Administrative Officer,
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Kadavoor Taluk,
Karur District.

+1 CC to M/s.SPL GP (SR-17959[F] dated 28/04/2021)

W.P. (MD) .No.8538 of 2021

27.04.2021

GS (8.06.2021) 3P 7C