



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.8693 of 2021

Arulmighu Irulappaswamy Temple,
Represented by its President, E.K.Senthilkumar. ...Petitioner

Vs.

1. The District Collector,
Dindigul District, Dindigul.
2. The Revenue Divisional Officer,
Palani, Dindigul District.
3. The Tahsildar,
Palani Taluk, Dindigul District. ... Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to complete the enquiry based on the petitioner's representation, dated 08.01.2021 within the time stipulated by this Court and change the patta in the name of "Arulmighuirulappaswamy Temple" in respect of the property in S.Nos,20/1, 20/2 and 20/3 to the total extent of 5 acres and 90 cents situated in Bethanayakkanpatti Village, Palani Taluk, Dindigul District.

For Petitioner : Mr.R.Maheswaran
For R-1 to R-3 : Mrs.M.Rajeswari
Government Advocate

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the second respondent to complete the enquiry based on the representation made by the petitioner on 08.01.2021, wherein, the petitioner has sought for transfer of patta in the name of Arulmighu Irulappaswamy Temple, with respect to the subject property.

2. The case of the petitioner is that the properties were purchased by the Executive Members of the Temple Committee in the name of the Temple, through a registered sale deed, dated 13.06.1979. It was found that the patta pertaining to the property in Patta No.275, stands in the name of the Executive Committee members instead of the Temple. Hence, the petitioner, who claims to



be the President of the Temple Committee, made a representation to the third respondent to cancel the patta in the name of the Executive members and to issue a new patta in the name of the Temple. Since the third respondent did not take any action, a subsequent representation was made by the petitioner on 08.01.2021 before the first and second respondents. According to the petitioner, the second respondent called for an enquiry and thereafter, there was no improvement in the proceedings. Left with no other alternative, the present Writ Petition has been filed before this Court seeking for appropriate directions.

3. Heard Mr.R.Maheswaran, learned counsel appearing on behalf of the petitioner and Mrs.J.Rajeswari, learned Government Advocate appearing on behalf of the respondents.

4. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the second respondent to consider the application / representation made by the petitioner on 08.01.2021 and deal with the same on its own merits and pass appropriate orders strictly in accordance with law, within a period of eight (08) weeks from the date of receipt of a copy of this order. If there are any other interested parties claiming right over the subject property, they shall also be issued with notice and an opportunity shall also be given to them.

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

6. The Writ Petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar(P & A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

1. The District Collector,
Dindigul District, Dindigul.

2. The Revenue Divisional Officer,
Palani, Dindigul District.

3. The Tahsildar,
Palani Taluk, Dindigul District.

+1 CC to M/s.SPL GP (SR-18080[F] dated 29/04/2021)

Order made in

W.P. (MD) .No.8693 of 2021

Dated: 28.04.2021

PM(CO)

TR(07.06.2021) 3P 5C