



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.04.2021

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.9027 of 2021

J.Sundarrajan

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Revenue Divisional Officer,
Melur Division at Narasingampatty,
Vellaripatty Road,
Madurai - 625 106.

3.The Tahsildar,
Madurai South Taluk,
Madurai.

4.The Sub Registrar No.4,
Sub Registrar's Office,
Madurai South,
Palanganathanm, Madurai.

5.K.Shanmugavadivu,
6.K.Muniyandi,
7.T.Jeyarani
8.T.Santheesh
9.S.Balasubramanian

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the respondents 1 to 3 to re-transfer the patta in the name of Arulmigu Veilugandamman Temple at Thirupparankundram with respect to the property in Survey No.576/1B of Avaniapuram Village, Madurai District to an extent of Southern 85-1/2 cents out of 2 acres 28 cents from the name of S.Balasubramanian, son of K.Sethuraman.

For Petitioner
For Respondent

: Mr.P.Sivasubramanian
: Mr.M.Rajarajan for R1 to R3
Additional Government Pleader
Mr.K.Sathiya Singh, for R4
Additional Government Pleader

ORDER

This Writ petition has been filed for the issuance of Writ of Mandamus, directing the second respondent to consider the representation made by the petitioner, on 09.04.2021, wherein, the petitioner has sought for the re-transfer of the patta in the name



of Arulmigu Veilugandamman Temple at Thirupparankundram, with respect to the subject property.

2.The petitioner is the Managing Trustee of Arulmigu Veilugandamman Temple at Thirupparankundram. According to the petitioner, the subject property situated at S.No.576/1B to an extent of 85 ½ cents out of the total extent of 2 acres and 28 cents absolutely belongs to the temple. The grievance of the petitioner is that the sub division was undertaken without notice to the temple and the patta has been issued in favour of the 9th respondent in patta No.22035.

3.The petitioner on coming to know of the same, made an appeal before the respondents and sought for re-transfer of the patta in the name of the temple. Since the same was not considered, the present writ petition has been filed before this Court, seeking for appropriate directions.

4.Heard Mr.P.Sivasubramanian, learned counsel for the petitioner and Mr.M.Rajendran, learned Additional Government Pleader for the respondents 1 to 3 and Mr.K.Sathiya Singh, learned Additional Government Pleader for the respondent No.4.

5.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 representation made by the petitioner, on 09.04.2021, on its own merits and in accordance with law, after affording opportunity to the petitioner and respondents 5 to 9 and pass final orders, within a period of eight weeks from the date of receipt of a copy of this order. It is also brought to the notice of this Court that the appeal filed by the fifth respondent is also pending on the file of the second respondent and the same shall also be taken up along with the representation made by the petitioner.

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

7.This writ petition is disposed of with the above directions. No costs.

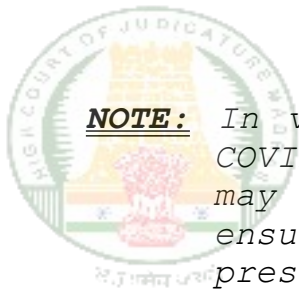
Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



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,
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Madurai.
- 2.The Revenue Divisional Officer,
Melur Division at Narasingampatty,
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Madurai.
- 4.The Sub Registrar No.4,
Sub Registrar's Office,
Madurai South,
Palanganathanm, Madurai.

+1 CC to M/s.GP (SR-18376[F] dated 03/05/2021)

+1 CC to M/s.P.SIVASUBRAMANIAN, Advocate (SR-18453[F] dated 04/05/2021)

W.P. (MD) .No.9027 of 2021
30.04.2021

ES (CO)
KB(08.06.2021) 3P 7C