



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.08.2021

CORAM

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P(MD)No.14887 of 2021

K.Alagarsamy,
S/o.kandan,
The Secretary,
Arulmigu Sree Seelaikariyamman Kovil,
Annadhanam Seithu Vazhipadupavarkal Sangam,
Vetrilaimurianpatti,
Kariyapatti Taluk,
Virudhunagar District.

... Petitioner

Vs.

- 1.The District Collector,
Office of the Collectorate,
Virudhunagar, Virudhunagar District.
- 2.The District Revenue Officer,
Office of the District Revenue Officer,
Collectorate Complex, Virudhunagar.
- 3.The Revenue Divisional Officer,
Office of the Revenue Divisional officer,
Aruppukottai, Virudhunagar.
- 4.The Thasildar,
Office of the Thasildar,
Kariyapatti, Virudhunagar.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to dispose of the representation of the petitioner's Sangam dated 20.06.2021 to issue patta in favour of (Arulmigu Sree Seelaikariyamman Kovil Annadhanam Seithu Vazhipadupavarkal Sangam) in S.Nos.43/12 and 43/13 of Vetrilaimurianpatti, Kariyapatti Taluk, Virudhunagar District and as per the proceedings of the fourth respondent in Na.Ka.No.A4/4858/2019 dated 15.03.2019 and restraining the respondents in anyway disturbing the possession of the petitioner's Sangam (Arulmigu Sree Seelaikariyamman Kovil Annadhanam Seithu Vazhipadupavarkal Sangam) till the disposal of the petitioner's representation.

For Petitioner : Mr.Ramsundarvijayraj
For Respondents : Mr.R.Baskaran,
Counsel for State



ORDER

The petitioner seeks a patta in favour of the petitioner Sangam over public lands, which have been used for purposes of the temple over a long period of time.

2. The petitioner states that the lands bearing survey No.43/12 and 43/13 are Government lands which are lying vacant. Such lands have been used for public welfare as also by the petitioner Sangam. The petitioner relies upon the proceedings of the Thasildar whereby a recommendation was given for grant of a patta to the petitioner Sangam. The present writ petition is filed on account of the non-consideration of a representation submitted by the petitioner on 20.06.2021.

3. Mr.R.Baskaran, learned counsel for the State, accepts notice on behalf of all the respondents. He states that the petitioner's representation may be directed to be considered and disposed of on merits. Mr.R.Baskaran, submits that the report of the Revenue Divisional Officer and, in case valuation of a building is involved, the valuation report of the Public Works Department would be required before the petitioner's request can be decided.

4. In the aforesaid facts and circumstances, without going into the merits of the matter, the first respondent is directed to consider the petitioner's application dated 20.06.2021 and dispose of the same by a reasoned order after calling for all necessary reports in such regard from the relevant revenue officials and the Public Works Department. Such exercise shall be completed within a period of six months from the date of receipt of a copy of this order. Such reasoned order shall be issued after providing a reasonable opportunity to the petitioner and any other person who would be affected by such order.

5. W.P.(MD).No.14887 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (C.O)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sbn

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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- 4.The Thasildar,
Office of the Thasildar,
Kariyapatti, Virudhunagar.

+1 CC to M/s.S.RAMSUNDARVIJAYARAJ, Advocate (SR-27576[F]
dated 27/08/2021)

W.P (MD) No.14887 of 2021
27.08.2021

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