



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.09.2021

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE M.DURAI SWAMY
AND
THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR**

W.P(MD) NO.16088 OF 2021

Mayalagan

:Petitioner

.vs.

- 1.The District Collector,
Office of the District Collector,
Ramanathapuram District.
- 2.The District Revenue Officer,
Office of the District Revenue Officer,
Ramanathapuram,
Ramanathapuram District.
- 3.The Tahsildar,
Rajasingamangalam Taluk,
Ramanathapuram District.
- 4.The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Sivagangai,
Sivagangai District.
- 5.The Manager,
Sivagangai Devasthanam,
No.99, Old Aranmani Campus,
Sivagangai Town,
Sivagangai.
- 6.The Village Administrative Officer,
Radhanur Group,
Rajasingamangalam Taluk,
Ramanathapuram District.
- 7.Mohamadu Alli Zinna
- 8.Muthukaruppan
- 9.Chinnathambi @ Kuvalaimuthu
- 10.Kalliyammal



11.Periyasamy Thevar

12.Duthaniza

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the second respondent to consider the Petitioner's representation, dated 20.2.2019 within a time frame that may be stipulated by this Court and to direct the second respondent to cancel the patta vide Patta Nos. 1680, 1473, 617 and 1280 in S.Nos.226/3, 258/1,259/2, 259/3 and 509/2 on the file of the Radhanur Village, Rajasingamangalam Taluk, Ramanathapuram District and consequently to direct the second respondent to restore the original patta in the name of 'Poojai Thillaivaneshwarar Temple'.

For Petitioner	:Mr.R.Udhayakumar
For Respondents	:Mr.P.Thilakkumar
1 to 4 and 6	Govt.Pleader
For Respondent-5	:Mr.S.Madhevan

O R D E R

[Order of the Court was made by **M.DURAISWAMY.,J.**]

The Petitioner has filed the above Writ Petition as a 'Public Interest Litigation' to direct the second respondent to consider the Petitioner's representation, dated 20.2.2019 within a time frame and to direct the second respondent to cancel the patta vide Patta Nos. 1680, 1473, 617 and 1280 in S.Nos.226/3, 258/1,259/2, 259/3 and 509/2, on the file of the Radhanur Village, Rajasingamangalam Taluk, Ramanathapuram District and consequently to direct the second respondent to restore the original patta in the name of 'Poojai Thillaivaneshwarar Temple'.

2.When the Writ Petition is taken up for hearing, learned counsel appearing for the Petitioner fairly submitted that the Petitioner and others have also filed an appeal before the District Revenue Officer, Ramanathapuram, the second respondent herein, challenging the issuance of patta in favour of the private respondents and the second respondent had already issued an enquiry notice, dated 6.3.2019. Further, the learned counsel submitted that though the appeal is pending for more than 2 ½ years, the second respondent has not passed any orders so far.

3.Mr.P.Thilakkumar, learned Government Pleader taking notice for the respondents 1 to 4 and 6, submitted that the second respondent may be directed to dispose of the appeal within a time frame. Mr.S.Madhevan, learned counsel taking notice for the fifth respondent also submitted that the temple has also filed an appeal before the District Revenue Officer, Ramanathapuram and the same is



also pending.

4. In view of the submissions made by the learned counsel appearing on either side, we are of the considered view that it would suffice to direct the second respondent to dispose of the appeals pending before him challenging the issuance of patta in favour of the private respondents within a time frame.

5. Accordingly, without expressing any opinion on the merits of the matter, we direct the second respondent to dispose of the appeals filed by the parties as well as the temple challenging the issuance of patta in favour of the private respondents, on merits and in accordance with law, after giving notice to all the interested parties, within a period of four months from the date of receipt of a copy of this order.

6. With these observations, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

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/ /2021

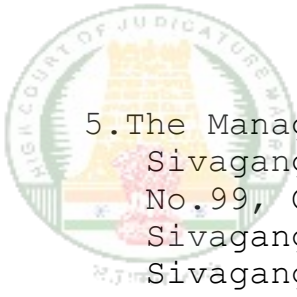
Sub Assistant Registrar(CS)

vsn

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

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+1 CC to M/s.GP (SR-28677[F] dated 09/09/2021)

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RD(16.09.2021) 4P 8C