



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

AND

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.18373 of 2021

WEB COPY

Ponnambalgounder

... Petitioner

Vs.

1.The District Revenue Officer,
Karur,
Karur District.

2.The Sub-Collector / Revenue Divisional Officer,
Kulithalai, Karur District.

3.The Tahsildar,
Taluk Office,
Kulithalai, Karur District.

4.The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Karur, Karur District.

5.The Inspector,
Hindu Religious and Charitable Endowment Department,
"Arulmigu Sri Veerachaleswarar Swamy Temple",
Kadampur Temple Campus,
Kulithalai, Karur District.

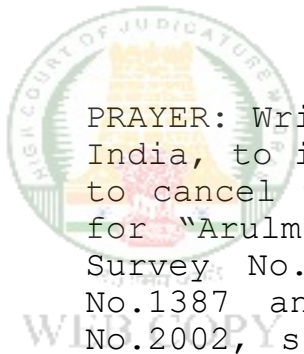
6.The Manager,
"Arulmigu Sri Veerachaleswarar Swamy Temple",
Rachandarthirumalai,
Kulithalai Taluk, Karur District.

7.Dr.Balakrishnan,
S/o.Ponnambalam,
Present Trustee of "Arulmigu
Sri Veerachaleswarar Swamy Temple",
Vadacheri Village (Post),
Kulithalai Taluk, Karur District.

8.Marudapillai

9.Subramaniam

... Respondents



PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 to 3 to cancel the pattas issued in the name of the private respondents for "Arulmigu Sri Veerachaleswarar Swamy Temple" lands of bearing Survey No.493/4 - patta 1701, Survey Nos.499/4, 535/3 - patta No.1387 and Survey No.750/10, 12, 5, 8, 723/2, 723/3 - patta No.2002, situated at Rachanadarthirumalai, Kulithalai Taluk, Karur District and issue patta in the name of the aforesaid Temple Deity.

For Petitioner : Mr.R.Murugappan
For RR 1 to 4 : Mr.P.Thilak Kumar
Government Pleader
For R - 5 : Mr.P.Aathimoola Pandian

ORDER

(Order of the Court was made by **M.DURAISWAMY, J.**)

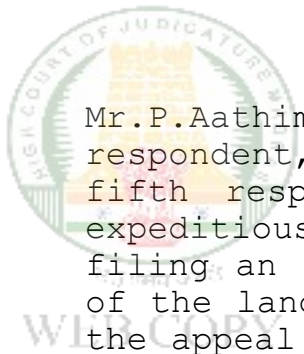
The petitioner has filed the above Writ Petition as a Public Interest Litigation to issue a Writ of Mandamus, directing the respondents 1 to 3 to cancel the pattas issued in the name of the private respondents for "Arulmigu Sri Veerachaleswarar Swamy Temple" lands bearing Survey Nos.493/4, 499/4, 535/3, 750/10, 12, 5, 8, 723/2, 723/3 situated in Rachanadarthirumalai, Kulithalai Taluk, Karur District and issue patta in the name of the aforesaid Temple Deity.

2.When the Writ Petition is taken up for hearing, Mr.P.Thilak Kumar, learned Government Pleader appearing for the respondents 1 to 4 submitted that the fifth respondent is taking steps to get the pattas issued in favour of the private respondents cancelled by filing an appeal.

3.Further, Mr.P.Aathimoola Pandian, learned standing counsel appearing for the fifth respondent also submitted that the fifth respondent is taking effective steps to get the pattas cancelled by filing an appeal before the appellate authority under Section 12 of the Tamil Nadu Patta Passbook Act, 1983.

4.Mr.R.Murugappan, learned counsel appearing for the petitioner submitted that in view of the submissions made by Mr.P.Thilak Kumar, learned Government Pleader appearing for the respondents 1 to 4 and Mr.P.Aathimoola Pandian, learned counsel appearing for the fifth respondent, the Writ Petition may be closed.

5.Having regard to the submissions made by the learned counsel on either side, recording the submissions made by Mr.P.Thilak Kumar, learned Government Pleader appearing for the respondents 1 to 4 and



Mr.P.Aathimoola Pandian, learned counsel appearing for the fifth respondent, the Writ Petition stands closed. However, we direct the fifth respondent to take steps to get the pattas cancelled as expeditiously as possible. In the event of the fifth respondent filing an appeal seeking for cancellation of the pattas in respect of the lands referred above, the second respondent shall dispose of the appeal as expeditiously as possible on merits and in accordance with law. No costs.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

indu/ps

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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MGJ(26.10.2021) 3P 6C