



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.10.2021

CORAM

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P(MD)No.18926 of 2021

Arulmigu Swamy Sakkarai
Vinayagar Kovil Trust,
(belongs to Pettai, Senaithalaivar Community),
Pettai, Tirunelveli Represented through its Trustee,
C.Santhanam

... Petitioner

Vs.

- 1.The District Collector,
Tirunelveli District,
Tirunelveli.
- 2.The District Revenue Officer,
Tirunelveli District, Tirunelveli.
- 3.The Revenue Divisional Officer,
Tirunelveli District, Tirunelveli.
- 4.The Tahsildar,
Tirunelveli,
Tirunelveli District.
- 5.Nobelraj

... Respondents

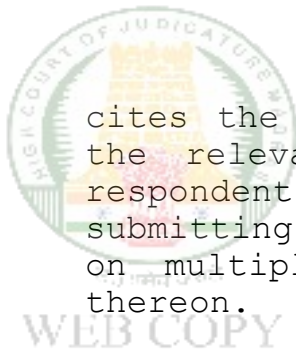
Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, by directing the respondents to restore the patta in the name of the temple pertaining to Survey Numbers 285 to 290/1 of Kondanagaram Village, Tirunelveli District to the extent of 14 Acres 49 Cents based on the representation dated 23.06.2021.

For Petitioner : Mr.N.Tamilmani
For R-1 to R-4 : Mr.K.S.Selva Ganesan,
Counsel for State.

ORDER

The petitioner seeks restoration of patta in the name of the Arulmigu Swamy Sakkarai Vinayagar Kovil in respect of the property bearing Survey Nos. 285 to 290/1 of Kondanagaram Village, Tirunelveli District.

2.The petitioner states that the above mentioned properties were transferred in favour of the Temple through a registered deed dated 13.12.1909 bearing Document No.2183/1909. The petitioner



cites the Adangal Extract as evidence of the temple's interest in the relevant property. The petitioner alleges that the fifth respondent took steps to mutate the patta in his name. In spite of submitting representations in such regard to the fourth respondent on multiple occasions, it is stated that no action was taken thereon.

3.Mr.K.S.Selva Ganesan, learned counsel for the State, accepts notice for respondents 1 to 4. He submits that if a representation or appeal is filed before the jurisdictional Revenue Divisional Officer, the same would be considered and disposed of on merits after putting the contesting parties on notice.

4.In view of the above submissions of learned counsel for the State, W.P(MD).No.18926 of 2021 is disposed of by permitting the petitioner to submit a representation / appeal to the third respondent within a period of two (2) weeks from the date of receipt of a copy of this order by enclosing all relevant documents. Upon receipt thereof, the third respondent herein is directed to consider and dispose of the same by a reasoned order within a period of three (3) months from the date of receipt thereof after providing a reasonable opportunity to the petitioner, the fifth respondent herein and any other person in whose name the relevant pattas are registered. There will be no order as to costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg/LM

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,
Tirunelveli District,
Tirunelveli.

2.The District Revenue Officer,
Tirunelveli District, Tirunelveli.



3.The Revenue Divisional Officer,
Tirunelveli District, Tirunelveli.

4.The Tahsildar,
Tirunelveli,
Tirunelveli District.

WEB COPY

+1 CC to M/s.N.TAMILMANI, Advocate (SR-32806[F] dated 27/10/2021)

+1 CC to M/s.SPL.GP (SR-32858[F] dated 27/10/2021)

W.P (MD) No.18926 of 2021
26.10.2021

NA (CO)

RS/UV (02.11.2021) 3P 7C