



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.12.2021

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) .No.15122 of 2015

Navaneethakrishnan @ Amaresan

... Petitioner

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Tahsildar,
Sathur Taluk,
Virudhunagar District.

3.Chellaperumal

... 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 1 and 2 to consider and pass orders on the representation dated 13.07.2015 within a definite time frame.

For Petitioner : Mr.A.Arumugam
For M/s.Ajmal Associates
For R-1 and R-2 : Mr.J.John Rajadurai
Government Advocate

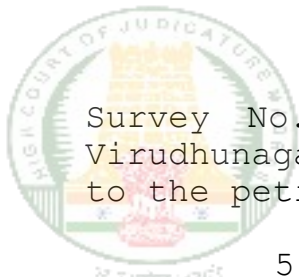
ORDER

Heard Mr.A.Arumugam, learned counsel for the petitioner and Mr.J.John Rajadurai, learned Government Advocate who appears on behalf of respondents 1 and 2.

2. In view of the nature of the order passed, notice is dispensed with for the third respondent. Additionally, this Writ Petition has been pending for the past six years without any effective progress.

3. This Writ Petition has been filed in the nature of Mandamus seeking a direction against the first and second respondents to consider and pass necessary orders on the representation of the petitioner dated 13.07.2015.

4. In the affidavit filed in support of the present Writ Petition, it had been stated that the property involved, namely



Survey No.34/8 measuring 2175 square meters in Sattur Village, Virudhunagar District, belongs to the petitioner having devolved on to the petitioner through his forefathers.

5. It is stated that the property is called Yadavar Nandavanam. The petitioner is also managing the affairs of the Pillaiyar Temple which is adjacent to the property. He had also paid necessary electricity charges. The third respondent claiming to be a member of the Sattur Yadavar Community, had filed a suit in O.S.No.95 of 2009 on the file of District Court, Virudhunagar District. An Interlocutory Application had also been filed. There was also another suit in O.S.No.34 of 2001 which was filed by one Girija before the District Munsif Court, Sattur. That particular suit was dismissed. The appeal was also dismissed.

6. The petitioner claimed that he had given a representation to the first and second respondents to include his name as a trustee of the property including the Temple and Yadavar Nandavanam. Since no effective orders had been passed on the representation, this Writ Petition came to be filed. It has now six (6) years, since the date on which the representation had been given. Without entering into the merits of the case, the Writ Petition is disposed of.

7. However, if the cause of the petitioner still survives and if the Nandavanam still survives and if the Pillaiyar temple is still in existence and if the petitioner herein still claims that he has a right to be the trustee of the Temple, then he may give a fresh representation and thereafter, necessary orders may be passed by the officials to whom the said representation is given after following due procedure and in manner known to law.

8. By observing as above, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-I)

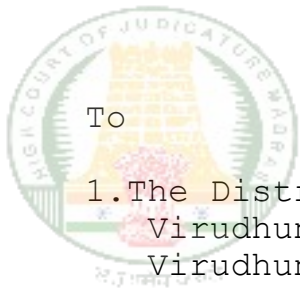
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/ /2021

Sub Assistant Registrar(CS)

Nsr/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,
Virudhunagar District,
Virudhunagar.

2.The Tahsildar,
Sathur Taluk, Virudhunagar District.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-37964[F] dated
09/12/2021)

+1 CC to M/s.SPL GP (SR-37781[F] dated 08/12/2021)

W.P. (MD) .No.15122 of 2015
07.12.2021

MJ(CO)
KB(22.12.2021) 3P 5C