



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.24713 of 2013

K.Narayanaswamy Reddiar

...Petitioner

Vs.

- 1.The Secretary to Government,
Revenue Department,
Government of Tamil Nadu,
Fort St.George,
Chennai 600 009.
- 2.The Collector,
Namakkal District,
Namakkal.
- 3.The Sub Collector,
Namakkal Revenue Division,
Namakkal.
- 4.The Headquarters Deputy Tahsildar,
Namakkal.
- 5.The Superintendent of Police,
Namakkal District,
Namakkal.
- 6.The Inspector Genral of Registration,
The State of tamil Nadu,
Santhome,
Chennai 600 028.
- 7.The Sub Registrar,
Erumapatti,
Namakkal Taluk and District.
- 8.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Uthamar Gandhi Salai,
Nungambakkam,
Chennai 600 034.



9.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Namakkal.

10.The Executive Officer,
Arulmigu Varadharaja Perumal Temple,
Pavithram Village,
Namakkal Taluk and District,
Pincode 637 021.

11.The Special Officer /
District Revenue Officer (Temple Lands),
Coimbatore 18.

12.G.Namachivayan

...Respondents

Prayer : Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus Directing the respondents 1 to 11 herein to take necessary and appropriate action in relation to the lands of an extent of 0.97 acres originally comprised in Survey No.136/1 and presently comprised in Survey Nos.461/1 to 461/23 of No.172, Pavithram Village, Namakkal Taluk and District, by rectify the revenue records by entering the ownership of the said lands in the name of Arulmigu Varadharaja Perumal Temple Pavithram Village cancel all the documents purported to be executed and registered in relation to the said lands owned by the temple by the 12th respondent and other individuals and consequently take appropriate criminal action against the 12th respondent herein and other persons involved in the illegal act of conversion in the revenue records and also execution of fraudulent documents in relation to the said lands owned by Arulmigu Varadharaja Perumal Temple, Pavithram Village.

For Petitioner : Mr.G.Suresh Kumar

For R1 to R7 : Mr.P.Sathish
Additional Government Pleader

For R8, 9 and 10 : Mr.S.Yashwanth
Additional Government Pleader (HR&CE)

For RR12 : Mr.N.Manokaran

O R D E R

The petitioner has filed this petition for writ of Mandamus to direct the respondents 1 to 11 herein to take necessary and appropriate action in relation to execution of fraudulent documents in relation to the said lands owned by Arulmigu Varadharaja Perumal Temple, Pavithram Village.



2. The case of the petitioner is that the petitioner is the hereditary trustee of Arulmigu Varadharaja Perumal Temple and initially he was incharge of the said Temple and thereafter it has been administered and managed by the HR and CE Department. One of the assets of the temple is the lands of an extent of 0.97 acres originally comprised in S.F.No.136/1 and presently comprised in S.F.No.461-461/1 to 161/23 of No.172, Pavithram Village, Namakkal Taluk and District and entries in the revenue records would clearly show that the entire extent of the property was owned by the temple and however, the officials of the revenue department had illegally re-classified the said lands as Gramanatham and pattas were consequently issued to certain persons. In spite of several complaints, absolutely no action has been taken by the respondents and hence the petitioner is constrained to approach this Court by filing this Writ Petition.

3. When the matter is taken up for hearing, the learned Additional Government Pleader appearing for the respondents 1 to 7 submitted that initially the patta was granted in favour of the 12th respondent by the Tahsildar, however subsequently the same has been cancelled by the Revenue Divisional Officer, and the same was confirmed by the District Revenue Officer on 27.03.2017.

4. In view of the above, nothing survives for further adjudication in the prayer sought for by the petitioner. However if the official respondents find any alienation in the temple properties by the private persons, the same has to be viewed seriously and the concerned authority has to take effective steps to protect the interest of the said Temple, after affording an opportunity to the necessary parties.

5. This Writ Petition is disposed of with the above observations. No costs.

Sd/-
Assistant Registrar(CS-IX)

// True Copy //

Sub Assistant Registrar

sk

To

1.The Secretary to Government,
Revenue Department,
Government of Tamil Nadu,
Fort St.George, Chennai 600 009.



2.The Collector,
Namakkal District,
Namakkal.

3.The Sub Collector,
Namakkal Revenue Division,
Namakkal.

4.The Headquarters Deputy Tahsildar,
Namakkal.

5.The Superintendent of Police,
Namakkal District, Namakkal.

6.The Inspector Genral of Registration,
The State of tamil Nadu,
Santhome, Chennai 600 028.

7.The Sub Registrar,
Erumapatti,
Namakkal Taluk and District.

8.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Uthamar Gandhi Salai,
Nungambakkam,
Chennai 600 034.

9.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Namakkal.

10.The Executive Officer,
Arulmiguu Varadharaja Perumal Temple,
Pavithram Village,
Namakkal Taluk and District,
Pincode 637 021.

11.The Special Officer /
District Revenue Officer (Temple Lands),
Coimbatore 18.

+1cc to M/s.N.Manokaran, Advocate, Sr.No.17912

+1cc to M/s.V.G.Suresh Kumar, Advocate, Sr.No.18459

+1cc to the Government Pleader, Sr.No.18141

+1cc to the Special Government Pleader (HR & CE), Sr.No.18288

W.P.No.24713 of 2013

PMK (CO)
RVM(06/04/2022)