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WP.Nos.29146, 29158 & 29228 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2022

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THE HONOURABLE MR. JUSTICE M.DHANDAPANI

WP.Nos.29146, 29158 & 29228 of 2022
and W.M.P.Nos.28433 & 28520 of 2022

1.Palanisamy
2.Arumugam
3.Anbuselvi
4.Subhashini
5.Minor Akshath Karthik .. Petitioners in W.P.No.19155 of 2022

N.Ganapathi Pandaram .. Petitioner in W.P.No.29158 of 2022

1.Thangamani
2.Kalamani
3.M.Sakthivel .. Petitioners in W.P.No.29228 of 2022

Versus

1.The Commissioner
Administration of Revenue Administration
Disaster Management & Mitigation
Ezhilagam, Chepauk
Chennai – 600 005

2.The District Collector
Tiruppur District
Tiruppur

3.The District Revenue Officer
District Collector Office
Tiruppur District

4.The Revenue Divisional Officer
Udumalpet
Tiruppur District



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5. The Tahsildar
Tahsildar Office
Madathukulam
Tiruppur District

.. Respondents in all cases

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to consider the representation dated 04.07.2022 and issue Ayan Patta in favour of the petitioner.

For Petitioners : Mr.B.Gopalakrishnan (all cases)
For Respondents : Mr.U.Baranidharan (all cases)
Additional Government Pleader

COMMON ORDER

These writ petitions have filed seeking to direct the first respondent to consider the representations dated 04.07.2022 and issue Ayan Patta in favour of the petitioners.

2. Since the issue involved in these writ petitions are one and the same, they are disposed of by way of this common order.

3. The petitioners claim that they are the owner of the subject properties situated at Vedapatti Village, Madathukulam Taluk, Tiruppur District, wherein, originally, the subject properties were classified as Devadaya Inam lands and pattas were granted to the temple mentioning the names of forefather of the petitioners, as per the proceedings of the Settlement Tahsildar,



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Gopichettypalayam in Ref.No.SR.No.1122/1986/M.I.Act.30/1963/Udumalpet

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Taluk dated 31.07.1968 under Section 8(2)(iii) read with Section 11 of the Madras Minor Inam (Abolition and Conversion into Ryotwari) Act, 1963. However, Ayan patta was not granted in favour of the petitioners, hence, the petitioners made representations on 06.07.2022 seeking for Ayan Patta in their favour which is pending without any consideration till date. Hence, these petitions.

4. The learned counsel for the petitioners submitted that it would suffice this Court may issue direction to the respondents for consideration of the petitioners' representations dated 06.07.2022 and pass appropriate orders within a reasonable time as fixed by this Court.

5. The learned Additional Government Pleader brought to the attention of this Court that originally the subject lands were classified as Devadayam Minor Inam lands and the pattas were granted to the Mariamman and Sellandiamman temple, as per the proceedings of the Settlement Tahsildar, Gopichettypalayam in Ref.No.SR.No.1122/1986/M.I.Act.30/1963/Udumalpet Taluk dated 31.07.1968 and the subject lands are vested with the Government under Section 8(2)(iii) read with Section 11 of the Madras Minor Inam



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(Abolition and Conversion into Ryotwari) Act, 1963. He further submitted that the land belongs to HR & CE Department, the petitioners claiming regular patta is not sustainable one. Hence, prays for dismissal of these writ petitions.

6. Heard the learned counsel for the petitioners and the learned Additional Government Pleader appearing for the respondents and perused the materials placed on record.

7. Admittedly, the subject properties were originally classified as Devadayam Minor Inam lands and as per the proceedings of the Settlement Tahsildar, Gopichettypalayam in Ref.No.SR.No.1122/1986/M.I.Act.30/1963/Udumalpet Taluk dated 31.07.1968, pattas for the subject lands were granted to Mariamman and Sellandiamman temple under Section 8(2)(iii) read with Section 11 of the Madras Minor Inam (Abolition and Conversion into Ryotwari) Act, 1963. This Court is of the view that the petitioners can only enjoy the subject properties till they render service to the deity and the petitioners cannot claim enjoyment if they are not rendering service to the deity. Even otherwise, the lands belong to the HR & CE Department and the petitioners cannot claim regular patta in their favour over the subject lands. Hence, the prayer of the writ petitioners



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cannot be granted and the same are liable to be dismissed.

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8. Accordingly, these writ petitions stands dismissed. No costs.

Consequently, connected miscellaneous petitions are closed.

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Index: Yes/No

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