



W.P.No.29155 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.29155 of 2022

- 1.Rukmani
- 2.Kothandapani
- 3.Muthukrishnan
- 4.Padmanaban
- 5.Kasthurisamy
- 6.Neelamani
- 7.Saraswathy
- 8.Thiruvengadasamy

... Petitioners

Vs.

- 1.The Commissioner
Administration of Revenue Administration,
Disaster Management and 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.
- 5.The Tahsildar,
Tahsildar Office,
Madathukulam,
Tiruppur District.

... Respondents



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Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to consider the representation dated 29.09.2022 and issue Ayan patta in favour of the petitioners.

For Petitioners : Mr.B.Gopalakrishnan
For Respondents : Mr.U.Baranidharan
Additional Government Pleader

ORDER

The petitioners have filed this writ petition seeking issuance of Writ of Mandamus directing the first respondent to consider the representation dated 29.09.2022 and issue Ayan patta in favour of the petitioners.

2.The case of the petitioners is that in the year 1912, the petitioners predecessor's vendor one Sanjeevi Iyer obtained the land in S.F.Nos.19 and 20 of Anaikadavu Village, Udumalpet Taluk, Tiruppur District by way of inam as hereditary Poojari of the Village Temple namely, Sinthiluppu Venkatesa Perumal Temple at Anaikadavu Village and patta was also granted in his favour.



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Subsequently in the year

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1919, the said Sanjeevi Iyer sold the said lands in favour of the petitioners predecessor namely, Venkataramana Iyer and patta was mutated in his favour.

3.The further case of the petitioners is that as per the Tamilnadu Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963, they are entitled for patta and hence, the petitioners made representation to the respondents seeking issuance of patta and since the same has not yet been considered, has filed this writ petition.

4.The learned counsel appearing for the petitioners submitted that without going into the merits of the case, this Court may issue direction to the respondents to consider the petitioners representation dated 29.09.2022 and to pass appropriate orders, within a reasonable time frame.

5.The learned Additional Government Pleader appearing for the respondents, on instructions, submitted that Ryotwari Patta for the subject property was issued in favour of Sinthiluppu Venkatesa



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Perumal Temple at Anaikadavu Village as per the proceedings of the

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Settlement Tahsildar, Gopichettipalayam under Section 8(2)(ii) read with Section 11 of the Madras Minor Inam (Abolition and Conversion into Ryotwari) Act, 1963, mentioning Srinivasa Iyer as the hereditary Poojari. He further submitted that the subject property belong to Sinthiluppu Venkatesa Perumal Temple and petitioners can cultivate the said lands till they render service to the Temple Deity and further submitted that the lands are now maintained by the Hindu Religious and Charitable Endowments Department.

6.Heard the arguments advanced on either side and perused the materials available on record.

7.Though the petitioners claim that in the year 1912, the petitioners predecessor's vendor one Sanjeevi Iyer obtained the subject property by way of inam as hereditary Poojari of Sinthiluppu Venkatesa Perumal Temple at Anaikadavu Village and subsequently in the year 1919, the said Sanjeevi Iyer sold the said lands in favour of the petitioners predecessor namely, Venkataramana Iyer, they did not produce any document to show that absolute patta was granted in



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favour of their predecessor Venkataramana Iyer.

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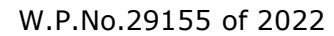
8.However, the fifth respondent has filed counter affidavit stating that Ryotwari Patta for the subject property was issued in favour of Sinthiluppu Venkatesa Perumal Temple at Anaikadavu Village as per the proceedings of the Settlement Tahsildar, Gopichettipalayam under Section 8(2)(ii) read with Section 11 of the Madras Minor Inam (Abolition and Conversion into Ryotwari) Act, 1963. When such being the position, the relief sought for by the petitioners in this writ petition cannot be granted.

9.This writ petition is accordingly dismissed. No costs.

21.11.2022

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Speaking Order/ Non Speaking Order
Index: Yes/ No
Internet: Yes/ No



To

- 1.The Commissioner
Administration of Revenue Administration,
Disaster Management and Mitigation,
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Tiruppur.
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