



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16.02.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.2994 of 2022

and

W.M.P.[MD]No.2618 of 2022

WEB COPY

G.Rajagopal

... Petitioner

/Vs./

1.The District Revenue Officer, Trichy.

2.The Revenue Divisional Officer, Trichy.

3.The Tahsildar,
Trichy East, Trichy.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records of the 1st respondent in his proceedings Na.Ka.No.A6/13206/2021 dated 27.01.2022 and quash the same and further direct the 1st respondent to issue patta in respect of the S.No.10/1 and 10/2 measuring 48 cent situated at Alathur Village, Trichy East Taluk in the name of Sri Arulmigu Ayyanar Koil Present Poosari and Manager.

For Petitioner : Mr.T.K.Gopalan

For Respondents : Mr.M.Lingadurai

Special Government Pleader

ORDER

This writ petition has been filed challenging the order dated 27.01.2022 passed by the first respondent, under which, the petitioner's request for correcting the name of the patta holder in respect of the property at S.No.10/1 and 10/2 measuring 48 cents situated at Alathur Village, Trichy East Taluk, was rejected.

2.The case of the petitioner is that the aforementioned property belongs to Sri Arulmigu Ayyanar Koil. According to the petitioner, earlier, patta was standing in the name of 'Sri Arulmigu Ayyanar Koil Present Poosari and Manager'. But, after UDR scheme, the words 'Present Poosari and Manager' have been deleted.

3.In such circumstances, he has given a representation to the respondents seeking for correction of the name found in the patta, after UDR scheme. Under the impugned order, his representation was rejected. Aggrieved by the same, this writ petition has been filed.



4.Heard Mr.T.K.Gopalan, learned counsel appearing for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader, who accepts notice for all the respondents.

5.The request made by the petitioner in his representation dated 09.10.2018 was rejected by the first respondent by total non-application of mind. The petitioner never sought correction of the earlier patta to include any individual name. He has only pointed out an error committed in the patta for the aforementioned temple, after UDR scheme, which is apparent on the face of the record.

6.The petitioner has produced earlier pattas issued for the aforementioned property. In all the pattas, it was standing only in the name of 'Sri Arulmigu Ayyanar Koil Present Poosari and Manager', whereas after UDR scheme, the term 'Present Poosari and Manager' has been deleted. The name of the temple alone is found.

7.No prejudice will be caused to the respondents or any other interested person in the temple, if the term 'Present Poosari and Manager' is added to 'Sri Arulmigu Ayyanar Koil' in the patta, as was found in the earlier pattas for the said temple. But, mechanically and by total non application of mind to the earlier pattas, which have been produced by the petitioner, the first respondent has rejected the petitioner's representation.

8.Therefore, the impugned order dated 27.01.2022 passed by the first respondent has to be rejected and accordingly, it is rejected and the Writ Petition is allowed. Accordingly, this Court directs the first respondent to pass orders in the light of this order in respect of the property in S.No.10/1 and 10/2 measuring 48 cent situated at Alathur Village, Trichy East Taluk, within a period of eight (8) weeks from the date of receipt of a copy of this order. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CRL)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Sm

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 Revenue Officer, Trichy.
- 2.The Revenue Divisional Officer, Trichy.
- 3.The Tahsildar,
Trichy East, Trichy.

+1 CC to M/s.SPL GP (SR-6815[F] dated 17/02/2022)

+1 CC to M/s.T.K.GOPALAN, Advocate (SR-6423[F] dated 16/02/2022)

W.P. [MD]No.2994 of 2022
16.02.2022

RD(01.03.2022) 3P 6C