



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26.04.2022**

CORAM:

THE HONOURABLE MR.JUSTICE **C.SARAVANAN**

W.P. (MD) No.4145 of 2020

and

W.M.P. (MD) No.3494 of 2020

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S.Sivamaharajan

... Petitioner

/vs./

1.The District Collector,
Tenkasi District,
Tenkasi.

2.The Tahsildar,
Alangulam Taluk,
Tenkasi District.

3.The Block Development Officer (Planning),
Union Office, Alangulam,
Tenkasi District.

4.The Block Development Officer,
Union Office, Alangulam,
Tenkasi District.

5.The Village Administrative Officer,
Maranthai Village,
Alangulam Taluk,
Tenkasi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to consider the petitioner's objection of acquiring the temple land for the purpose of set on the Amma Play Ground at Chettisamy @ Sargurunathar Jeeva Samathi Temple land situated at Maranthai Village, Alangulam Taluk, Tenkasi District based on the petitioner's representation dated 09.02.2020.

For Petitioner : Mr.C.Saravana Kumar
For Respondents : Mr.K.S.Selva Ganesan
Additional Government Pleader

ORDER

The petitioner has filed this writ petition for a Mandamus to direct the respondents to consider the petitioner's objection for acquiring the land for the purpose of constructing a play ground at Maranthai Village, Alangulam Taluk, Tenkasi District.



2.The learned counsel for the official respondents submits that the land, in respect of which the petitioner is seeking the aforesaid relief, is the Arasu Poramboke Land and that there is no proposal for putting up any play ground.

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3.The learned counsel for the petitioner has however relied on the judgment in A.S.Nos.104 and 105 of 1975 dated 07.01.1977 on the file of the Subordinate Court, Tirunelveli. The learned counsel for the petitioner submits that the petitioner was appointed as Atthar, in terms of the registered deed dated 23.06.1973, vide registered Doc.No.1490/1973. The petitioner claims to be the Atthar and was administering the temple property. The writ petition appears to have been filed in his individual capacity, though in paragraph No.2 of the affidavit filed in support of this writ petition, the petitioner has stated that the petitioner is the Atthar.

4.There is no counter filed by the respondents to substantiate the above contentions. Be that as it may, the representation of the petitioner dated 09.02.2020 is directed to be considered and disposed of on merits and in accordance with law by the 3rd respondent within a period of 6 weeks from the date of receipt of a copy of this order.

5.The writ petition stands disposed of, in terms of the above observation. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1.The District Collector,
Tenkasi District,
Tenkasi.

2.The Tahsildar,
Alangulam Taluk,
Tenkasi District.

3.The Block Development Officer (Planning),
Union Office, Alangulam,
Tenkasi District.

<https://hcservices.ecourts.gov.in/hcservices/>



4.The Block Development Officer,
Union Office, Alangulam,
Tenkasi District.

5.The Village Administrative Officer,
Maranthai Village,
Alangulam Taluk,
Tenkasi District.

+1 CC to M/s.SPL.GP (SR-22374[F] dated 28/04/2022)

W.P. (MD) No.4145 of 2020
26.04.2022

MK/25.05.2022/3P/7C