



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD]No.4526 of 2022

WEB COPY

Arulmigu Oushathapureeswarar Temple,
Marungapallam,
Represented through its Executive Officer,
Peravoorani Taluk,
Thanjavur District - 614 804.

... Petitioner

Vs.

1.The District Collector,
Thanjavur District,
Thanjavur.

2.The District Revenue Officer,
Thanjavur District,
Thanjavur.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to consider and pass orders on the representation dated 26.08.2019 made in regard to cancel the patta issued wrongfully under various Patta Nos.935, 1135, 1109, 799, 935, 1110, 800 etc., in that so many irrelevant individuals names were added and also with Arulmigu Oushathapureeswarar Temple name in the above patta under Survey Nos.93, 120, 122, 242, 243 (Extent of 13.25 acre cent) of Marungapallam Village, Peravoorani Taluk, Thanjavur District and to remove the name of the individuals in the above patta which actually belong to the "Arulmigu Oushathapureeswarar Temple" and also to issue new patta again only in the name of "Arulmigu Oushathapureeswarar Temple", Marungapallam which is the actual owner of the land for more than 100 years (relevant documents attached herewith) within the time limit that may be stipulated by this Court.

For Petitioner : Mr.Ramesh Mahadev

For Respondents : Mr.M.Lingadurai
Special Government Pleader

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the second respondent to consider and pass orders in the statutory appeal filed by the petitioner seeking for



cancellation of patta issued wrongfully under Patta Nos.935, 1135, 1109, 799, 935, 1110, 800 etc., within a time frame to be fixed by this Court.

2.In this writ petition, the petitioner seeks for early disposal of the statutory appeal filed by them, aggrieved by the issuance of the pattas referred to supra. The petitioner is a temple and they claim that wrongfully the aforementioned pattas have been issued. Therefore, they have preferred a statutory appeal on 26.08.2019, which is pending on the file of the second respondent. The petitioner seeks for early disposal of the said statutory appeal.

3.No prejudice would be caused to the respondents if the statutory appeal filed by the petitioner under the Patta Pass Book Act, 1986, is considered on merits and in accordance with law and final orders passed within a time frame to be fixed by this Court, after affording a fair hearing to the petitioner and other necessary parties.

4.Accordingly, this Court directs the second respondent to pass final orders on the petitioner's appeal filed on 26.08.2019 seeking for cancellation of patta Nos.935, 1135, 1109, 799, 935, 1110, 800 etc. in the individual names in respect of Survey Nos.93, 120, 122, 242, 243 (Extent of 13.25 acre cent) of Marungapallam Village, Peravoorani Taluk, Thanjavur District, and after removing the name of the individuals in the said pattas, issue pattas in the name of "Arulmigu Oushathapureeswarar Temple", Marungapallam after affording a fair hearing to the petitioner and the persons in whose names pattas have been issued and any other necessary party whom the second respondent deems fit to enquire within a period of four [4] months from the date of receipt of a copy of this order.

5.With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

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 Collector,
Thanjavur District,
Thanjavur.

2.The District Revenue Officer,
Thanjavur District,
Thanjavur.

+1 CC to M/s.SPL GP (SR-12480[F] dated 16/03/2022)

W.P. [MD]No.4526 of 2022
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RK(25/03/2022) 3P 4C