



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.03.2022

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P. (MD) .No.5369 of 2022

R.Ponnusamy

... Petitioner

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Dindigul,
Dindigul District.

3.The Tahsildar,
Kujiliyamparai Taluk,
Dindigul District.

4.The Sub Registrar,
Aravakurichi Sub Registrar Office,
Dindigul District.

5.The Village Administrative Officer,
Thirukkooranam,
Dindigul District.

6.Ganapathy Murugan,
Thakkar,
Arulmighu Alagu Natchiamman Temple,
Thirukkooranam village,
Vedasanthur Taluk,
Dindigul District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the second respondent to remove the petitioner's self acquired properties comprised in Survey Nos.333/3, 333/4 and 333/6, situated at Thirukkooranam Village, Kujiliyamparai Taluk, Dindigul District, from the Arulmighu Alagu Natchiamman Temple's properties list, which was requested by the sixth respondent, by considering the petitioner's representation, dated 14.03.2022 submitted to the respondents within the time frame that may be fixed by this Court.

For Petitioner
For R-1 to R-5

: Mr.K.Muthamilvendhan
: Mr.P.Subbaraj,
Special Government Pleader.



ORDER

The writ petition has been filed for a Writ of Mandamus, to direct the second respondent to remove the petitioner's self acquired properties comprised in Survey Nos.333/3, 333/4 and 333/6, situated at Thirukkooranam Village, Kujiliyamparai Taluk, Dindigul District, from the Arulmighu Alagu Natchiamman Temple's properties list, which was requested by the sixth respondent, by considering the petitioner's representation, dated 14.03.2022.

2. The petitioner claims to have purchased the properties by two different sale deeds, dated 27.08.1993 and 25.08.1994. It is the case of the petitioner that though the petitioner has been given patta, the land has been classified as a land belonging to the sixth respondent temple, Arulmighu Alagu Natchiamman Temple, Thirukkooranam Village, Vedasanthur Taluk, Dindigul District.

3. The learned Counsel for the petitioner submits that the petitioner had sent a representation both to the official respondents and to the sixth respondent temple for cancelling the patta in the name of the temple and for removing the entry, however it has not received any attention. It is submitted that the sixth respondent has wrongly included the property covered by the two sale deeds as if the land in the subject Survey Nos.333/3, 333/4 and 333/6 situated at Thirukkooranam Village, Kujiliyamparai Taluk, Dindigul District Village is in the list of the temple.

4. I find sufficient merits in the submission of the petitioner, as the petitioner appears to have purchased the properties due back in 1993 and 1994 by two sale deeds, dated 27.08.1993 and 25.08.1994. Whether the petitioner is entitled to further relief or not would depend on proper examination of the facts and report by the third respondent Tahsildar. Under these circumstances, I direct the third respondent, Thasildar to enquire and give a report to the second respondent after due notice to the petitioner and the sixth respondent. Thereafter, further exercise shall be carried out by the second respondent based on the report of the third respondent, Tahsildar within a period of eight (8) weeks from the date of receipt of a copy of this order.

5. Accordingly, this writ petition stands disposed of at the admission stage, dispensing the notice on the sixth respondent, Thakkar of the temple. No costs.

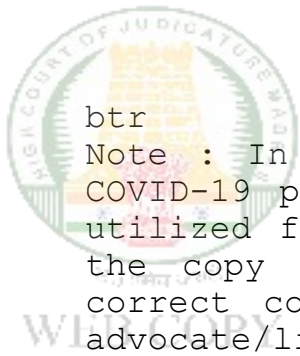
Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



btr

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,
Dindigul District,
Dindigul.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Dindigul,
Dindigul District.
- 3.The Tahsildar,
Kujiliyamparai Taluk,
Dindigul District.
- 4.The Sub Registrar,
Aravakurichi Sub Registrar Office,
Dindigul District.
- 5.The Village Administrative Officer,
Thirukkooranam,
Dindigul District.

+1 CC to M/s.SPL GP (SR-14866[F] dated 28/03/2022)

W.P. (MD) .No.5369 of 2022
25.03.2022

SP(CO)
KB(08.04.2022) 3P 7C