



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.5831 of 2022

WEB COPY

K.Lakshmi

... Petitioner

Vs.

1.The District Collector,
Office of District Collector,
Theni District,
Theni.

2.The Sub Collector,
Revenue Divisional Office,
Periyakulam,
Theni District.

3.The Tahsildar,
Periyakulam Taluk Office,
Periyakulam Taluk,
Theni District.

4.The Head Surveyor,
Periyakulam Taluk Office,
Periyakulam Taluk,
Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the third respondent to direct the fourth respondent to survey the temple lands in Survey No.894/3, Survey No.894/4, 894/5, 896 an extent of 5 Acres (approximately) in Manjalaaru Dam, Devadanapatti Village, Theni District by considering the petitioner's representation dated 14.02.2022.

For Petitioner : Mr.A.Haja Mohideen

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 fourth respondent to survey the temple lands in Survey Nos.894/3, Survey No.894/4, 894/5, 896 measuring an extent of 5 Acres (approximately) in Manjalaaru Dam, Devadanapatti Village,



Theni District by considering the petitioner's representation dated 14.02.2022, within a time frame to be fixed by this Court.

2.The petitioner has submitted a representation to the respondents on 14.02.2022 seeking for survey and demarcation of boundaries in respect of the temple lands in Survey Nos.894/3, Survey No.894/4, 894/5, 896 an extent of 5 Acres (approximately) in Manjalaaru Dam, Devadanapatti Village, Theni District. The petitioner claims that she is the poosari of the said temple. Since the said representation has not been considered till date, this writ petition has been filed.

3.Heard Mr.A.Haja Mohideen, learned Counsel for the writ petitioner and Mr.M.Lingadurai, learned Special Government Pleader who accepts notice on behalf of respondents.

4.The petitioner has produced the encumbrance certificate for the subject property. She has sought for a survey and fixation of boundaries by the appointment of a Surveyor and the petitioner has given a representation on 14.02.2022 for the said purpose.

5.No prejudice would be caused to the respondents if the representation of the petitioner dated 14.02.2022 is considered on merits and in accordance with law after hearing the petitioner as well as the rival claimants if any.

6.Accordingly, this Court directs the fourth respondent to survey and fix the boundaries of the temple lands in Survey Nos.894/3, Survey No.894/4, 894/5, 896 an extent of 5 Acres (approximately) in Manjalaaru Dam, Devadanapatti Village, Theni District, after giving notice to the petitioner and rival claimants, if any, within a period of twelve [12] weeks from the date of receipt of a copy of this order. The petitioner is also directed to produce the patta for the subject property and all other relevant documents to substantiate her case, at the time of survey.

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

Sd/-
Assistant Registrar(AS)

/TRUE COPY/

/ /2022
Sub Assistant Registrar(CS)

MR



To

1.The District Collector,
Office of District Collector,
Theni District,
Theni.

2.The Sub Collector,
Revenue Divisional Office,
Periyakulam,
Theni District.

3.The Tahsildar,
Periyakulam Taluk Office,
Periyakulam Taluk,
Theni District.

4.The Head Surveyor,
Periyakulam Taluk Office,
Periyakulam Taluk,
Theni District.

+1 CC to M/s.SPL GP (SR-16103[F] dated 01/04/2022)

ORDER MADE IN
W.P. [MD]No.5831 of 2022
31.03.2022

MK/07.04.2022/3P/6C