



W.P.(MD)No.13704 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 13.10.2022

CORAM

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

and

THE HONOURABLE MR.JUSTICE **J.SATHYA NARAYANA PRASAD**

W.P.(MD)No.13704 of 2021

Arunachalam

... Petitioner

Vs.

1. The Secretary to Government,
Department of Revenue, Secretariat,
Chennai 600009.

2. The Secretary to Government,
Hindu Religious Charitable and
Endowment Department, Secretariat,
Chennai 600009.

3. The Commissioner of Land Administration,
Ezhilagam, Cheppakkam,
Chennai 600005.

4. The Commissioner,
Hindu Religious Charitable and
Endowment Department,
119, Uthamar Gandhi Road,
Nugambakkam,
Chennai - 600034.

5. The District Collector,
Karur District, Karur 639007.



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6. The District Revenue Officer,
Karur District,
Karur 639007.

7. The Revenue Divisional Officer,
Karur, Karur District.

8. The Thasildar,
Taluk Office, Aravakurichi,
Karur District.

9. The Assistant Commissioner,
Hindu Religious Charitable and
Endowment Department,
Karur, Karur District.

10. The Executive Officer,
Arulmigu Kaliyana Pasubatheeswarar
Swami Thirukkivil,
Karur Town, Karur District.

11. The Sub Registrar,
Sub Registrar Office,
Karur, Karur District.

12. Kanthasamy Gounder

13. Paulraj

14. Katchammal

15. Chellamuthu

16. Kanthasamy

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the respondents particularly the sixth respondent to cancel the Patta No.234, 757 and others issued in the names of the private persons including the respondents 12 to 16, during the UDR Scheme for the Arulmigu Kaliyana Vikeertheeswarar Thirukkivil lands, bearing survey Nos.103, 171 and other survey numbers mentioned by the tenth respondent in his letter, dated 21.02.2008, to the eleventh respondent situated at



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Venjamangudalur (West), Chinnakariyampatti (Post), Aravakurichi Taluk, Karur District and retrieving that lands.

For Petitioner

: Mr.R.Murugappan

For Respondents

: Mr.V.Nirmal Kumar,
Government Advocate
for R1 to R3, R5 to R8
Mr.P.Subbaraj
Special Government Pleader
for R4 & R9
Mr.P.Athimoolapandian for R10
Mr.E.K.Kumaresan for R13 & R14
No appearance for R12

ORDER

(Order of the Court was made by **R.MAHADEVAN, J.**)

The petitioner has come forward with this writ petition praying to issue a Writ of Mandamus, directing the sixth respondent to cancel the Pattas issued to the private persons in respect of the temple's properties of Arulmigu Kaliyana Vikeertheeswarar Thirukkivil and to retrieve those lands, to the temple.

2. Heard Mr.R.Murugappan, learned counsel for the petitioner; Mr.V.Nirmal Kumar, learned Government Advocate, appearing for the respondents 1 to 3 and 5 to 8; Mr.P.Subbaraj, learned Special Government Pleader appearing for the respondents 4 and 9; Mr.P.Athimoolapandian, learned



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counsel for the tenth respondent and Mr.E.K.Kumaresan, learned counsel for

the respondents 13 and 14.

3. Pointing out that during the UDR Survey and Settlement Scheme, the revenue officials issued Patta Nos. 234 and 757 to the respondents 12 to 16, in respect of the land in Survey Nos.103 and 171, which was earlier stood in the name of Arulmigu Kaliyana Vikeertheeswarar Thirukkivil, Venjamangudalur Village, Karur District, the petitioner submitted a representation to the official respondents on 03.07.2021, to cancel the aforesaid pattas, based on which, the District Revenue Officer - sixth respondent sent a communication dated 08.07.2021 to the Tahsildar - eighth respondent, to conduct an enquiry and take appropriate action and the same, according to learned counsel for the petitioner, is not acted upon.

4. Learned counsel for the petitioner would further submit that though the petitioner has sought for a larger relief, he would be satisfied if a direction is issued to the sixth respondent – District Revenue Officer, to consider the representation of the petitioner dated 03.07.2021, in accordance with law.



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5. Considering the limited scope of the prayer now sought for by the petitioner, without expressing any opinion on the merits of the claim made by the petitioner either in the representation or in the affidavit filed in support of the Writ Petition, this Writ Petition is disposed of with a direction to the sixth respondent to consider the representation of the petitioner dated 03.07.2021 and pass appropriate orders on merits and in accordance with law, after affording sufficient opportunity of hearing to the petitioner, respondents 12 to 16 and all other parties concerned. Such an exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order. No costs.

[R.M.D., J.] [J.S.N.P., J.]
13.10.2022

Internet : Yes/No
Index : Yes / No
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