



W.P(MD)No.16581 of 2021

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 25.07.2022

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.P(MD)No.16581 of 2021

PL.Kathiresan Chettiar

... Petitioner

**Vs.**

1.The District Revenue Officer,  
Sivagangai District.

2.The Tashildar,  
Thirupathur Taluk,  
Sivagangai District.

3.The Periyanthel Temple,  
Rep. by its Devasthanam Manager,  
P.Lango.

... 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 1<sup>st</sup> respondent herein to take necessary steps to cancel the wrong entry made as government poramboke, Periyanthel Temple in A-Register in respect of Survey No.373 (Now 373/1) of Nerkuppai Group and Village, Thirupathur Taluk consisting of 53 cents which belongs to the Petitioner and to make necessary correction in the Revenue Records in favor of petitioner and to issue patta to him after affording an opportunity of hearing in the light of the proceedings passed by the 2<sup>nd</sup> respondent vide Na.Ka.No.A6/1374/2021 dated 13.07.2021 by considering



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the petitioners representation made before the 1st respondent herein by RPAD dated 09.8.2021.

For Petitioner : Mr.B.Brijesh Kishore

For Respondents : Mr.K.Balasubramani,  
Spl. Governemnt Pleader for R1 & R2.  
Mr.M.Karthikeyavenkatachalapathi,  
For Mr.S.Maharan for R3

### **ORDER**

Heard the learned counsel on either side.

2.According to the petitioner, his grandfather purchased the petition mentioned property measuring 53 cents under sale deed 20.04.1928. The petitioner is in possession and enjoyment of the same. However, revenue records erroneously indicate as if the property is in the name of the third respondent temple. The petitioner moved the Tahsildar, Thirupathur Taluk. The second respondent directed the petitioner to move the District Revenue Officer, Sivagangai. The petitioner filed a petition before the District Revenue Officer, Sivagangai. Even though the District Revenue Officer, Sivagangai initiated proceedings, nothing further has taken place. To mandate the first respondent to conclude the proceedings, this writ petition came to be filed.



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3. When the matter was taken up for hearing, the learned Special Government Pleader for the respondents 1 and 2 produced copies of the 'A' register which indicates that the property is very much standing only in the name of third respondent temple. Of course, the petitioner claims that a registered sale deed is in his favour. Thus, there is a title dispute between the petitioner on the one hand and the third respondent on the other. This is a matter that cannot be adjudicated by the first respondent. In the very nature of things, it is only the jurisdictional civil Court that will have to decide the issue.

4. Leaving open the petitioner's rights and remedies, this writ petition is disposed of. No costs.

**25.07.2022**

Index : Yes / No  
Internet : Yes/ No  
ias

To:

1. The District Revenue Officer,  
Sivagangai District.
2. The Tashildar,  
Thirupathur Taluk,  
Sivagangai District.



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**G.R.SWAMINATHAN, J.**

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