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W.P.(MD)NO.20558 OF 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.08.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.20558 of 2021

Sri Pattinam Kathar @ Satha Ayyanar temple,
Rep. by its Vice President (President In-charge),
S.S.Vadivel.

(Amended vide Order dated 04.08.2022 in
W.M.P.(MD)No.17977 of 2021)

... Petitioner

Vs.

1. The District Collector,
Ramanathapuram District,
Ramanathapuram.
2. The Tahsildar,
Kadaladi,
Ramanathapuram District.
3. The Taluk Surveyor,
Kadaladi Taluk,
Ramanathapuram District.
... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the third respondent to conduct survey and measurement in respect of the petitioner's temple land in S.No.128/2, Vaalinokkam Village, Kadaladi Taluk, Ramanathapuram District, within a time frame that may be fixed by this court.



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For Petitioner : Mr.K.Navaneetharaja

For Respondents : Mr.M.Prakash,
Additional Government Pleader.

* * *

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Additional Government Pleader appearing for the respondents.

2. The only prayer made in the writ petition is that the petition mentioned temple land must be surveyed and boundary must be demarcated.

3. When the matter was taken up for hearing, the learned Additional Government Pleader raised twofold objections. According to him, the property is a sarkar poramboke and it cannot be surveyed at the instance of the private party. He would also state that the assignment was made in the very same survey number and that there has been sub-divisioning also.



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4. I went through the contents of ' A ' register extract.

It categorically mentions in column 12 in Survey No.128/2 in Vaalinokkam, there is a well and Sathappan temple. From this, one can safely infer that the petition mentioned land belongs to the temple. Therefore, the second respondent is directed to conduct survey and demarcate the boundary within a period of eight weeks from the date of receipt of a copy of this order. If however, any house had been come up in the petition mentioned survey number, the same will be excluded while demarcating the boundaries. This writ petition stands allowed. No costs.

04.08.2022

Index : Yes / No

Internet : Yes/ No

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G.R.SWAMINATHAN,J.

PMU

To:

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Ramanathapuram District,
Ramanathapuram.
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Kadaladi,
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