



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.03.2022

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD).No.23169 of 2017

and

W.M.P(MD).No.11851 of 2018

S.Nathappaudaiyar

... Petitioner

Vs.

1.The District Revenue Officer/Special Officer,
(Temple Lands)
Trichy District,
Trichy.

2.The Executive Officer/Nallandavarkovil,
Manapparai Holding the office of Fit Person,
Arulmigu Malpoodi Vinayagar &
Mariamman Temple,
Muthappanudaiyanpatti,
Manapparai Taluk,
Trichy District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Mandamus, directing the respondents to consider the petitioner's representation dated 22.07.2017 and to initiate appropriate steps to recover the lands in Survey Nos.124/2, 124/4, 124/5A, 124/6 and 135/1 within the revenue jurisdiction of Kannudaiyanpatti Village, Manapparai Taluk, belonged to Arulmigu Malpoondi Vinayakar and Mariamman Temple of Muthappanudaiyanpatti Manapparai Taluk, Trichy District.

For Petitioner	: Mr.M.Karthikeya Venkitachalapathy
For R1	: Mr.P.Subbaraj Special Government Pleader
For R2	: Mr.C.Gunaseelaran

ORDER

Heard the learned counsel for the petitioner and the learned Special Government Pleader for the first respondent and the learned counsel for the second respondent.



2. It is the case of the petitioner that the land in question was given by one Sigapai Ammal for "Thanneer Pandhal Upayam" (தண்ணீர் பந்தல் உபயம்) in the year 1956. The trustee, namely, Pitchai, however misused and got the patta in his favour in the year 1984. Based on the petitioner's representation, a fit person was appointed in the year 1999, by which time, the said Pitchai had died. Meanwhile, there was a proposal for acquiring the aforesaid land of the second respondent temple under the provisions of the Tamil Nadu Acquisition Act, 1894.

3. It is the specific case of the petitioner that the compensation was however awarded under the provisions of the Land Acquisition Act, 1894 to Raja Sekar, son of Pitchai is to be paid back to the second respondent temple as the second respondent temple was the owner of the land.

4. The petitioner's representation dated 22.07.2017 has not received any attention. Considering the above, I am inclined to dispose the writ petition by directing the second respondent to consider and pass appropriate orders on the representation of the petitioner, dated 22.07.2017 within a period of six weeks from the date of receipt of copy of this order. It is needless to state that before passing such order, appropriate notice shall be issued to P.Raja Sekar, Son of Pitchai, Muthappudaiyanpatti, Manapparai Taluk, Trichy District. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-III)

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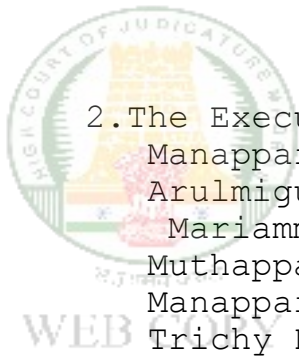
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Sub Assistant Registrar(CS)

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To

1.The District Revenue Officer/Special Officer,
(Temple Lands)
Trichy District,
Trichy.



2.The Executive Officer/Nallandavarkovil,
Manapparai Holding the office of Fit Person,
Arulmigu Malpoodi Vinayagar &
Mariamman Temple,
Muthappanudaiyanpatti,
Manapparai Taluk,
Trichy District.

+1 CC to M/s.C.GUHASEELARUPAN, Advocate (SR-12684[F]
dated 17/03/2022)

+1 CC to M/s.M.KARTHIKEYA VENKITACHALAPATHY, Advocate (SR-13050[F]
dated 18/03/2022)

+1 CC to M/s.SPL GP (SR-12999[F] dated 18/03/2022)

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