



WEB COPY



W.P.No.3225 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :07.02.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.3225 of 2023

Arulmigu Pachiyamman Temple,
Represented by its President/Tharmakarthan
A.Kumaresan,
6/276, Chinnaveeranam,
Veeranam Post – 636 122, Sukkampatti Via.,
Salem Taluk, Salem District.

... Petitioner

-Vs-

1. The District Collector,
Salem District, Salem.
2. The Revenue Divisional Officer,
Fire Service Office near,
Subramaniya Nagar – 636 005.
Salem District.
3. The Tahsildar,
Vazhappadi Taluk,
Salem District.

... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the 2nd respondent to consider an appeal dated 11.10.2022 made by the petitioner and to issue patta in the name of the Arulmigu Pachiyamman Temple in Survey No.103, measuring 1.03 acres of Ayothipattinam Village, Vazhapadi Village, Salem District.



W.P.No.3225 of 2023

For Petitioner : Mr.P.Ganesan
For Respondent : Mr.P.Sathish
Additional Government Pleader

ORDER

The prayer sought for herein is for a writ of mandamus directing the 2nd respondent to consider an appeal dated 11.10.2022 made by the petitioner and to issue patta in the name of the Arulmigu Pachiyamman Temple in Survey No.103, measuring 1.03 acres of Ayothipattinam Village, Vazhapadi Village, Salem District.

2. The petitioner temple sought for patta, which has been according to the petitioner's counsel has been left out subsequently, even though earlier it stood in the name of the petitioner temple in respect of the land in question and thereafter seeking for patta when the petitioner moved before the third respondent, who considered the said plea has rejected the same by proceedings dated 17.09.2022.

3. Aggrieved over the same, the petitioner temple preferred an appeal to the second respondent on 11.10.2022. However, the same since has not been decided so far and it has been kept pending, the petitioner has moved the present writ petition with the aforesaid prayer.

4. Reiterating the aforesaid Mr.P.Ganesh, learned counsel



W.P.No.3225 of 2023

appearing for the petitioner seeks indulgence of this Court.

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5. Heard Mr.P.Sathish, learned Additional Government Pleader appearing for the respondents who would submit that the said appeal submitted by the petitioner dated 11.10.2022 to the second respondent would be considered and decided on merits within a time frame that may be stipulated by this Court.

6. Considering the said submission made by the learned Additional Government Pleader appearing for the respondents and having considered the aforesaid facts, this Court is inclined to dispose of this writ petition with the following order:

That there shall be a direction to the second respondent Revenue Divisional Officer to consider and decide the said appeal filed by the petitioner dated 11.10.2022 on merits and in accordance with law of-course after giving an opportunity of being heard to both the petitioner and if any other party from the Revenue Department and pass orders thereon on merits and in accordance with law within a period of eight(8)



W.P.No.3225 of 2023

weeks from the date of receipt of a copy of this order.

WEB COPY

With this direction, this writ petition is disposed of. No costs.

07.02.2023

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
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To

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R. SURESH KUMAR, J.



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W.P.No.3225 of 2023

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