



WEB COPY

W.P.No.18403 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.18403 of 2023

R.Rajalakshmi

... Petitioner

Vs.

The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
A.K.T Street, (Near Rangasamy Kulam), Kancheepuram,
Kancheepuram – 631 501.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent to consider the representation of the petitioner dated 30.03.2023 and 29.05.2023.

For Petitioner : Mr.B.Arvind Srevatsa

For Respondent : Mr.K.Karthikeyan,
Government Advocate
(For H.R.&.C.E)



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ORDER

The writ of mandamus has been instituted to consider the representations submitted by the writ petitioner on 30.03.2023 and 29.05.2023.

2. The grievance of the writ petitioner is that the patta, which stood in his name was transferred in the name of Temple and now the Temple is claiming right over the subject property measuring 5 acres and 31 cents.

3. The learned Government Advocate appearing on behalf of the Hindu Religious and Charitable Endowments Department based on the instructions made a submission that as per the revenue records and the original documents, the name of the Temple has been entered and therefore, the Temple is the absolute owner of the subject property. Since the revenue records stand in the name of the Temple, they cannot issue no objection in favour of the petitioner for the purpose of transfer of patta or otherwise.

4. Apparently there is a dispute that exists between the parties and the petitioner claims title. Disputed issues regarding title cannot be adjudicated



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either by Revenue Authorities or by the High Court in a writ proceeding. All such disputes are to be resolved through the Competent Civil Court of Law based on the documents and evidences in original. Thus, the writ petitioner is at liberty to approach the Competent Civil Court of Law for the purpose of establishing his title, ownership or otherwise.

5. With this liberty, this Writ Petition stands disposed of. No costs.

22.06.2023

Jeni
Index : Yes
Speaking order
Neutral Citation : Yes

To

The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
A.K.T Street, (Near Rangasamy Kulam), Kancheepuram,
Kancheepuram – 631 501.



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S.M.SUBRAMANIAM, J.

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