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W.P.(MD)No.2541 of 2023

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

**DATED: 08.02.2023**

**CORAM**

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

**W.P.(MD)No.2541 of 2023**

K.Selvaraj Pillai

... Petitioner

Vs.

1.The District Collector,  
Ramanathapuram District.

2.The District Revenue Officer,  
Ramanathapuram District,  
Ramanathapuram.

3.The Revenue Divisional Officer,  
Paramakudi Division,  
Ramanathapuram District.

4.The Tahsildar,  
Kadaladi Taluk,  
Ramanathapuram District.

... Respondents

PRAYER : Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to impugned Notice in Oo.Mu.B2/4349/2022 dated 05.12.2022 passed by the 4<sup>th</sup> respondent herein and quash the same as illegal and consequently direct the respondents 1 to 4 herein to transfer the Patta for the 20 cents of the land in Group Survey NO.210/2



measuring 0.65.5 Ares wherein the Arulmigu Kamatchi Amman and Lord Kathavarayan Temple is located but is currently classified as Government Poramboke Temple land to the name of Arulmighu Kamatchi Amman and Lord Kathavarayan Temple itself.

For Petitioner : Mr.M.Karthikeya Venkita Chalapathi  
For R1 & R2 : Mr.M.Siddhartham,  
Additional Government Pleader

\* \* \*

### **ORDER**

Heard the learned counsel on either side.

2. The petitioner earlier filed W.P(MD)No.28047 of 2022 for considering his representation for issuance of patta in favour of the petition mentioned temple. This Court vide order dated 14.12.2022, called upon the jurisdictional Tahsildar to pass orders on merits and in accordance with law. Pursuant to the said direction, the impugned order, rejecting the petitioner's request came to be issued. Challenging the same, the present writ petition has been filed.

3. When the matter was taken up for hearing, the learned counsel for the petitioner reiterated all the contentions set out in the



affidavit filed in support of this writ petition, called upon this Court to set aside the impugned order and grant relief as prayed for.

4. The learned Additional Government Pleader appearing for the respondents produced a copy of the written instructions dated 07.02.2023 and also the 'A' Register extract as well as the FMB and also the patta.

5. It is seen from the 'A' register that S.No.210/2 has been shown as belong to a temple. In the rejection order, the respondent has mentioned that in the village accounts, the property has been shown as 'அரசு புறம்போக்கு கோவில்'. The petitioner is not asking for issuance of patta in his favour. He is asking for patta only in the name of the temple. Kumbabishekam for the temple was already performed. The temple has also been duly compounded. It is in existence on a land measuring an extent of 20 cents. The petitioner's request is in consonance with the revenue records. The fourth respondent having rightly noted that in the revenue records the temple has been shown to exist, could not have denied the petitioner's request.



6. I can understand if the petitioner is asking for patta for a larger extent. The petitioner seeks patta only for an extent of 20 cents, where the temple is presently in existence. In this view of the matter, the order impugned in this writ petition is set aside. The fourth respondent is directed to issue patta in favour of the temple for 20 cents alone in S.No. 210/2 in Keelaselvanur, Kadaladi Taluk, Ramanathapuram District.

7. Accordingly, this writ petition is allowed. No costs.

**08.02.2023**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes/ No

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- 4.The Tahsildar, Kadaladi Taluk, Ramanathapuram District.



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

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