



W.P.(MD)No.5082 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 13.10.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.5082 of 2021

R.Sivasakthi

... Petitioner

vs.

1.The District Collector,
Dindigul District, Dindigul.

2.The District Registrar,
Registration Department, Dindigul.

3.The Sub Registrar Joint No.II,
Dindigul, Dindigul District.

4.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Madurai.

5.The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Pandian Nagar, Dindigul District. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents No.1 to 3 to rectify their records and correctly mention classification of land as Agricultural Land and fixed the Guideline Value in respect of land 6



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Acres, 20 cents comprised in Survey No.94 situated at Alagupatti Village, Dindigul West Taluk, Dindigul by considering petitioner's representation dated 03.08.2020 within the time stipulated by this Court.

For Petitioner	:Mr.J.Lawrance
For R1 to R3	:Mr.A.K.Manikkam Special Government Pleader
For R4 and R5	:Mr.N.Ramesh Arumugam

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus directing the respondents 1 to 3 to rectify the records and to mention the correct guideline value of the property belonging to the petitioner by considering the representation made by the petitioner on 03.08.2020.

2.Heard Mr.J.Lawrance, learned Counsel appearing on behalf of the petitioner, Mr.A.K.Manikkam, learned Special Government Pleader appearing on behalf of the respondents 1 to 3 and Mr.N.Ramesh Arumugam, learned Counsel appearing on behalf of the respondents 4 and 5.



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3.The case of the petitioner is that the subject property was purchased through three registered sale deeds dated 11.02.1981 by the father and other relatives of the petitioner. Thereafter, they were in possession and enjoyment of the same and a joint patta was also issued in Patta No.732. It was ascertained that the property has been given zero value on the ground that S.No.94 is classified as “Temple Land” and that it belongs to Chennammal Temple.

4.It is stated that the subject property did not belong to Chennammal Temple and that the property in S.No.95/2 alone belongs to Chennammal Temple to an extent of 0.06.0 ares. Therefore, the petitioner made a representation before the respondents 1 to 3 to correct the records and to assign guideline value for the subject property. Since the same was not considered, the present Writ Petition has been filed before this Court.

5.Taking into consideration the facts and circumstances of the case and the limited relief sought for by the petitioner, there shall be a direction to the respondents 2 and 3 to consider the representation made



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by the petitioner on 03.08.2020 by conducting an enquiry by calling the petitioner and also the concerned officer, who is in-charge of the temple and a decision shall be taken on its own merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the second and third respondents along with all relevant documents and also a copy of this order.

6.The Writ Petition is disposed of with the above directions. No costs.

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

13.10.2023

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N.ANAND VENKATESH, J.

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