



W.P.(MD)No.16249 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 07.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.16249 of 2021

Dhanapathy

... Petitioner

Vs.

1.The Joint Commissioner,
Hindu Religious and Charitable Endowment,
Thanjavur.

2.The Tahsildar,
Avudaiyarkoil Taluk,
Pudukottai District.

3.Sri La Sri Thirukkailaya Paramparai,
Thiruvaduthurai Aathenam,
Thiruvaduthurai,
Mayiladuthurai District.

4.The Manager (Southern Region),
Thiruvaduthurai Aathenam,
No.210, West Car Street,
Esaniya Madam, Tirunelveli.

...Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the 2nd respondent to consider the petitioners application dated 27.08.2021 to include the land in Survey No.179/4 measuring to an extent of 52 cents situated at Avudaiyarkoil Pudukottai District in the approved records of tenancy rights.



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For Petitioner : Mr.T.Lenin Kumar
For R1 & R2 : Mr.K.S.Selva Ganesan
Additional Government Pleader
For R3 & R4 : Mr.B.Briseshkishore

ORDER

This writ petition has been filed for the issue of writ of mandamus directing the second respondent to consider the application submitted by the petitioner on 27.08.2021, wherein the petitioner has sought for including the land in Survey No.179/4 measuring an extent of 52 cents in the approved record of tenancy rights.

2.The petitioner is claiming tenancy rights over the subject property by tracing such rights to the lease that was granted in favour of his grandfather.

3.The learned counsel appearing on behalf of the third and fourth respondents submitted that the period of lease has come to an end long back and the property has already been leased to another person through a lease deed dated 14.04.2020 in favour of one Mr.P.Prabhakaran. The relevant documents were also placed before this Court.

4.In light of the above development, the relief sought for the petitioner cannot be granted by this Court. If the petitioner is aggrieved by the



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lease granted in favour of the some other person, the petitioner has to work out his remedy only before the concerned forum in the manner known to law and no further orders can be passed in this writ petition.

5.This Writ Petition is disposed of in the above terms. No costs.

07.11.2023

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

1.The Joint Commissioner,
Hindu Religious and Charitable Endowment,
Thanjavur.

2.The Tahsildar,
Avudaiyarkoil Taluk,
Pudukottai District.



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N.ANAND VENKATESH, J.

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