



WP(MD)No.17584 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

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V.Rathinagiri,
Managing Trustee,
Sri Theepachiyamman Temple Trust,
Sakkanthi,
Shenbaga Bhavanam,
1/78, Pillaiyar Kovil Street,
Vadivelkarai,
Madurai – 625 019.

... Petitioner

Vs

- 1.The District Collector,
Sivagangai District,
Sivagangai - 630 562.
- 2.The District Revenue Officer,
Sivagangai District,
Sivagangai - 630 562.
- 3.The Revenue Divisional Officer,
Sivagangai District,
Sivagangai - 630 562.



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4.The Tahsildar,
Sivagangai Taluk,
Sivagangai - 630 562.

5.Muthuvalliappan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the letter No. Na.Ka.No. A5/2181/2022 dated 24.06.2023 of the fourth Respondent and quash the same as illegal and consequently direct the fourth respondent to issue patta in favour of Sri Theepachi Amman Kovil.

For Petitioner : Mr.A.John Vincent
For R1 to R4 : Mr.M.Sarangan
Additional Government Pleader

ORDER

The petitioner has approached the revenue officials for grant of patta in favour of Sri Theepachiyamman Temple, Vadivelkarai, Madurai on 29.01.2022 and the same was rejected by the respondents in Na.Ka.No. A5/2181/2022 dated 24.06.2023. Aggrieved over the same, the petitioner has filed this writ petition.



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2.Mr.M.Sarangan, learned Additional Government Pleader appearing for the respondents submits that the petitioner's application was rejected by the respondents on the ground that the land in S.No. 247/1E of Pudupatti group stands in the name of one Muthiah S/o Kannappa Chettiyar.

3.The learned counsel appearing for the petitioner submits that the above temple is located in S.No.247/1E and it is in existence for more than 300 years. However, without ascertaining in what manner the patta was granted in favour of Muthiah, the Tahsildar, Sivagangai has rejected the application of this petitioner. The learned counsel has also relied on the proceedings of the District Revenue Officer.

4. In the absence of any materials, this Court is not inclined



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to pass any orders and this Court cannot decide the ownership of the lands in its Writ Jurisdiction.

5. Accordingly, this writ petition is dismissed. However, liberty is granted to the petitioner to file a civil suit to establish his rights over the Temple and thereafter approach the Revenue Officials. No costs.

20.07.2023

NCC : Yes / No.
Index : Yes / No.
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B.PUGALENDHI, J.

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