



W.P(MD)No.19940 of 2015

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.08.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.19940 of 2015

and

M.P(MD)No.2 of 2015

1.Maviliraj
2.Rajasekaran

... Petitioners

Vs

- 1.The Special Officer cum
District Revenue Officer
(Temple Lands) Madurai
West Avani Moola Street,
Madurai – 625 001.
- 2.The Tahsildar,
Vadipatti.
- 3.The Fit Person,
Arulmigu Koneri Perumal Thirukoil,
Kulasekaran Kottai Village,
Vadipatti Taluk,
Executive Officer,
Arulmighu Moolanatha Swami Thirukoil,
Thenkarai,
Madurai District.

4.P.Raja



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5.P.Selvam
6.P.Thangam
7.Kannan
8.C.Ganesan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records relating to the order of the first respondent dated 12.10.2015 which was delivered to the petitioners on 16.10.2015 made in his proceedings Va.No. A72/2013 and quash the same and thus render justice.

For Petitioners : No Appearance

For Respondents : Mr.D.Gandhiraj
Special Government Pleader
for R.1 & R.2

Mr.S.Madhavan for R.4 to R.8

No Appearance for R.3

ORDER

None appears for the writ petitioners.

2. The case is posted under the caption “for dismissal”.

3. I went through the contents of the affidavit filed in support of the writ petition. The petitioners challenge the order dated 12.10.2015 passed by the first respondent. The first respondent by the impugned order directed the restoration of the name of the Temple in the revenue record in respect of the petition mentioned lands.



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4. The learned counsel appearing for the Temple / third respondent submits that during settlement proceedings, the Temple's name was entered and that during UDR, due to mistake, the petitioners' names were substituted. It was the mistake that is corrected by the first respondent. It is further submitted by the learned counsel appearing for the Temple that the petitioners have filed a comprehensive suit in O.S.No.122 of 2021 on the file of the learned II Additional Sub Judge, Madurai for the relief of declaration and consequential relief. The suit is presently pending trial. The fifth respondent herein also figured as defendant in the suit and owing to his demise, steps have been taken to bring the legal representatives on record.

5. Since the jurisdictional civil Court is seized of the very same issue, no purpose will be served by this Court undertaking the exercise of testing the correctness of the impugned order. Leaving open the respective rights of the parties, this writ petition is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

10.08.2023

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



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To

1. The Special Officer cum
District Revenue Officer
(Temple Lands) Madurai
West Avani Moola Street,
Madurai – 625 001.

2. The Tahsildar,
Vadipatti.

Copy to:

The II Additional Sub Judge,
Madurai.



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G.R.SWAMINATHAN, J.

MGA

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