



W.P(MD)No.9999 of 2015

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.07.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.9999 of 2015

and

W.M.P(MD)No.1 of 2015

R.Rasu Chettiar

... Petitioner

Vs

1.The District Collector,
Thanjavur District,
Thanjavur.

2.The Revenue Divisional Officer,
Thanjavur.

3.The Tahsildar,
Thurivaiyar Taluk,
Thiruvaiyar,
Thanjavur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the respondents, their men, officers, subordinates or their agents from any manner proceedings against the petitioner in respect of concrete building consist his shop Nos.137 situated at South Street, Thiruvaiyaru, Thanjavur District bearing Survey No.545/1 to extent of 200 sq.ft. situated at South Street, Thiruvaiyaru, Thanjavur District.



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For Petitioner : Mr.K.Guhan

For Respondents : Mrs.K.Christy Theboral
Additional Government Pleader

ORDER

Heard the learned counsel on either side.

2. The petitioner is said to be running shop in Survey No.545/1 in Thiruvaiyaru Village. The instruction given by the respondents is that in A-Register, it has been shown as belonging to Panchanatheeswarar Samy Temple. If that be so, it is only the religious endowment that can take action. The respondents may not have any authority to proceed against the petitioner. But this is only a *prima facie* observation. Since the petitioner's possession is not in doubt, the respondents have to necessarily adhere to due process of law while dealing with the writ petitioner.

3. This writ petition is disposed of accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

14.07.2023

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



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To

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3. The Tahsildar,
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G.R.SWAMINATHAN, J.

MGA

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