



W.P.(MD)No.325 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.325 of 2016

Rajasekaran

... Petitioner

versus

1.The District Collector,
Trichy District,
Trichy.

2.The Revenue Divisional Officer,
Srirangam Division,
Cholannagar,
Manikandam Union,
Trichy District.

3.The Tahsildar,
Srirangam Taluk,
Trichy District.

4.R.Rengarajan

5.N.Nagarathinam

(R4 and R5 are impleaded vide Court order dated 15.02.2023 in
W.M.P(MD).No.2963/2016 in W.P(MD).No.325/2016)



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6.The Manager/
Trustee of Sri Rajagopala Perumal Thirukovil,

Thirupparaithurai Village, Srirangam Taluk,
Trichy District.

... Respondents

(R6 is *suo motu* impleaded Vide Court order dated 15.02.2023 in
W.P(MD).No.325/2016.

Writ Petition filed under Article 226 of the Constitution of India,
seeking for the issuance of Writ of Mandamus, directing the second
respondent to consider and pass orders on the representation dated
16.06.2014 forwarded by the first respondent through ST/14/07693
dated 16.06.2014.

For Petitioner : Mr.V.Illanchezian
For R1 to R3 : Mr.A.Kannan
Additional Government Pleader

ORDER

This Writ Petition is filed for writ of Mandamus directing the
second respondent to consider and pass orders on the representation
dated 16.06.2014 forwarded by the first respondent through
ST/14/07693 dated 16.06.2014.



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2. The case of the petitioner is that the land in Survey No.7, which originally belonged to one Krishnasamy Iyyangar and 40 others, was donated to a Temple, namely, Sri Rajagopala Perumal Thirukovil, by document No.155/1934. Subsequently, patta was also transferred in the name of the Manager of Sri Rajagopala Perumal Thirukovil. The Manager of Sri Rajagopala Perumal Thirukovil created a document and transferred the land to various persons.

3. The petitioner, a devotee of the Temple, has filed this writ petition alleging that the Temple lands have been usurped by some miscreants and therefore, sought for a mandamus, directing the second respondent/Revenue Divisional Officer, Trichy, to conduct an enquiry with regard to the same, by considering his representation dated 16.06.2014, which has not been considered so far.

4. When the writ petition came up for hearing on 07.01.2016, this Court directed the petitioner to implead private parties, namely,



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Nagarathinam and Rengarajan as respondents to this writ petition.

Pursuant to the direction of this Court, the petitioner has filed a petition in W.M.P.(MD)No.2963 of 2016 to implead one N.Rengarajan and N.Nagarathinam as respondents to this writ petition.

5. This Court, by the order dated 15.02.2023, allowed the impleading application filed in W.M.P(MD).No.2963 of 2016 and also *suo motu* impleaded the Manager of Sri Rajagopala Perumal Thirukovil as a sixth respondent in this writ petition.

6. The learned Additional Government Pleader appearing for the respondents 1 to 3 has produced the proceedings of the District Revenue Divisional Officer in மு.மு.ஆ5/208/2017 dated 23.07.2019 and also submitted that the District Revenue Divisional Officer has conducted enquiry with regard to the representation and also passed an order in the above said proceedings by directing the parties to workout their remedy in the pending O.S.No.1107 of 2014 on the file of the District Munsif Court, Tiruchirapalli.



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7. The learned counsel for the petitioner submitted that the above said suit was transferred to District Munsif Court, Srirangam and renumbered as O.S.No.495 of 2019 and the same is still pending at the stage of trial.

8. In view of the subsequent developments and submissions made by the respective counsels that a suit is pending before the District Munsif Court, Srirangam in O.S.No.495 of 2019, this writ petition is disposed of with a liberty to the petitioner to workout his remedy by filling necessary application to implead him as a party to the suit. If any party to the suit files such an application, the same shall be decided on its merits. The learned District Munsif Court, Srirangam, is directed to dispose of the suit in O.S.No.495 of 2019 as expeditiously as possible. No costs.

03.03.2023

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

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