



W.P(MD)No.28237 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.03.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.28237 of 2022

and

W.M.P.(MD)No.22306 of 2022

R.Arumugam

... Petitioner

Vs.

- 1.The District Collector,
Sivagangai,
Sivagangai District.
- 2.The District Revenue Officer,
Sivagangai,
Sivagangai District.
- 3.The Revenue Divisional Officer,
Devakottai,
Sivagangai District.
- 4.The Tahsildar,
Singampuneri Taluk,
Sivagangai District.
- 5.The Block Development Officer,
S.Pudur Union,
Singampuneri Taluk,
Sivagangai District.
- 6.The Village Administrative Officer,
Chettikurichi Group,



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Office at Pulithipatti Post,
Singampuneri Taluk,
Sivagangai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents herein to take necessary action to rectify the erroneous classification of land bearing Survey No.43/4 of an extent of 50 cents situated at Chettikurichi Village, Singampuneri Taluk, Sivagangai District by reclassifying as patta land instead of Nallapitchankulam and to issue appropriate patta in the name of the petitioner's temple namely Pathrakaliamman temple by considering the petitioner's representation dated 09.11.2022 within stipulated time fixed by this Court.

For Petitioner : Mr.S.Veeranasamy

For Respondents : Mr.B.Saravanan
Additional Government Pleader for R1 to R4 & R6
: Mr.P.Subbaraj
Special Government Pleader for R5

ORDER

Heard the learned counsel on either side.

2. All that the petitioner seeks is issuance of patta in favour of the petition mentioned temple.

3. The jurisdictional Tahsildar has filed a counter affidavit. Paragraph Nos.5 & 7 reads as follows:-



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“5. I respectfully submit that the petitioner herein submitted his representation dated 09.11.2022 to the respondents herein and thereby made request that there is a temple namely Pathrakaliamman temple situated in the above said land and he wanted to change the classification of the land from Nallaptichankulam to Pathrakaliamman temple. On receipt of the above said representation, we have inspected the subject land and found that in the subject land, there is no waterbody available as on date. Per contra, a Thaar Road, which connects Chettikurichi to Dharmapatti Village is available in the said land and the said road was laid down by S.Pudur Panchayat Union. As on date, the said road is under the public usage. Further, there is an cement filed called as Kalam also setup by the Panchayat Union and the same is being utilized by the farmers to dry the crops.

7. I respectfully submit that when was enquired about the subject temple namely Aanaimudi Karupar Temple we found that the said temple is in the existence of more than 100 years. Earlier, the said temple was situated in the form of the thatched shed. Subsequently, the renovation work was done in the said temple and on 06.06.2002, Kumbabisegam was conducted in the said temple. As on date, the devotees from various villages are used to come and worship the goddess of the above said temple. Originally, the said temple was constructed out of the fund collected from the village people, which was organized by one Aatkondan, who was none other than a resident of the same village.”



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4. The second respondent is directed to dispose of the petition mentioned representation and pass final order on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

5. The Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

01.03.2023

Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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