



W.P.No.4272 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.09.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.4272 of 2021

Kumar

... Petitioner

Vs.

1.The State of Tamil Nadu
Rep. by its Secretary,
HR & CE Department,
Fort St.George,
Chennai.

2.The Assistant Commissioner
The Department of
Hindu Religious and Charitable
Ariyalur,
Ariyalur District.

3.The Revenue Divisional Officer
Udayarpalayam
Ariyalur District.

4.The Tahsildar
Jayankondam
Ariyalur District.

5.The Executive Officer
Chenneswaran Koil
Vanathirayan patina
Ariyalur District.

6.Vaithilingam

...Respondents



W.P.No.4272 of 2021

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 29.01.2021 and further directing the respondents to cancel the patta issued in the name of the sixth respondent and to transfer the same in the name of the respondent's temple, based on the revenue records, in respect of the property measuring an extent of 1 acre, comprised in S.No.239/1A,1c and S.No.260 /6,7 situated in Vanathirayan Pattinam Village.

For Petitioner : Mrs.M.Senthil Vadivu

For Respondents : Mr.S.Ravichandran for R1 & R2
Additional Government Pleader
Mr.LSM.Hasan Fizal for R3 & R4
Additional Government Pleader
Mr.M.Karthikeyan for R5
Mr.K.J.Sivakumar for R6

O R D E R

This writ petition has been filed seeking issuance of Writ of Mandamus directing the respondents to consider the petitioner's representation dated 29.01.2021 and further directing the respondents to cancel the patta issued in the name of the sixth respondent and to transfer the same in the name of the respondent's temple, based on



W.P.No.4272 of 2021

the revenue records, in respect of the property measuring an extent of 1 acre, comprised in S.No.239/1A,1c and S.No.260 /6,7 situated in Vanathirayan Pattinam Village.

2.The learned counsel appearing for the petitioner submitted that the subject property belongs to Chenneswaran Temple, however, the revenue officials granted patta in favour of the sixth respondent. The petitioner being the devotee of the said Temple made representation to the respondents seeking to cancel the patta granted in favour of the sixth respondent, however, the same has not yet been considered.

3.The learned Additional Government Pleader appearing for the respondents 1 and 2 submitted that inadvertently patta for the subject property was granted in favour of the sixth respondent and further submitted that the fifth respondent has already made appeal before the District Revenue Officer on 25.02.2021 seeking to cancel the patta granted in favour of the sixth respondent and the same is pending consideration. Hence the prayer sought for in this writ petition has become infructuous. However, this Court may issue direction to the



W.P.No.4272 of 2021

District Revenue Officer, Ariyalur District to dispose of appeal filed by the fifth respondent within a stipulated time frame.

4.Though the District Revenue Officer, Ariyalur District is not arrayed as a party in this writ petition, this Court, considering the submission made by the learned Additional Government Pleader appearing for the respondents 1 and 2 and without going into the merits of the case, directs the District Revenue Officer, Ariyalur District to dispose of appeal filed by the fifth respondent after providing opportunity to the sixth respondent, within a period of twelve weeks from the date of receipt of a copy of this order.

5.The writ petition is disposed of on the above terms. No costs.

05.09.2024

pri

Note: Registry is directed to mark a copy of this order to
The District Revenue Officer, Ariyalur District.

Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No



W.P.No.4272 of 2021

WEB COPY

To

- 1.The Secretary,
HR & CE Department,
Fort St.Jeorge,
Chennai.
- 2.The Assistant Commissioner
The Department of
Hindu Religious and Charitable
Ariyalur,
Ariyalur District.
- 3.The Revenue Divisional Officer
Udayarpalayam
Ariyalur District.
- 4.The Tahsildar
Jayankondam
Ariyalur District.
- 5.The Executive Officer
Chenneswaran Koil
Vanathirayan patina
Ariyalur District.
- 6.The District Revenue Officer,
Ariyalur District.



WEB COPY



W.P.No.4272 of 2021

M.DHANDAPANI,J.
pri

W.P.No.4272 of 2021

05.09.2024