



W.P.No.15440 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.06.2024

CORAM :

THE HON'BLE MR.R.MAHADEVAN, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.15440 of 2024 and W.M.P. No.16796 of 2024

R. Saminathan

Petitioner

v

- 1 The State of Tamil Nadu
represented by its Principal Secretary
Revenue and Disaster Management Department
Fort St. George
Chennai 600 009
- 2 The District Collector
Cuddalore District
Cuddalore 607 001
- 3 The Tahsildar
Kurinjipadi Taluk
Cuddalore 607 302
- 4 The Assistant Director of Town Panchayat
Assistant Director Office
Cuddalore
- 5 The Executive Officer
Kurinjipadi Town Panchayat
Kurinjipadi
Cuddalore District 607 302



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6 Pudhu Theru Sri Subramaniya Swami Koil
represented by its Trustee
Pudhu Subramaniya Swami Koil Street
Kurinjpadi
Cuddalore District 607 302

7 The Inspector of Police
Kurinjpadi Police Station
Kurinjpadi
Cuddalore District

Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the second respondent to cancel patta No.144 issued in the name of the sixth respondent and consequentially issue patta in favour of the residents of Puliyanthopu in respect of the land measuring an extent of Hec. Ares 0.49.00 in Grama Natham in Old Survey Nos.53, 59/5, which is subsequently re-numbered now as Survey No.416/1, Old Survey No.59/6 in North Kurinjpadi Village, Kurinjpadi Taluk, Cuddalore District.

For petitioner

Mr. R. Chakkaravarthy

For RR 1 to 5

Mr. M. Habeeb Rahman
Government Advocate

For R6

Mr. N.R.R. Arun Natarajan
Special Government Pleader



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ORDER

(Made by the Hon'ble Acting Chief Justice)

With consent, this writ petition is taken up for final disposal at the admission stage itself.

2 Heard Mr. R. Chakkaravarthy, learned counsel for the petitioner, Mr. M. Habeeb Rahman, learned Government Advocate appearing for the respondents 1 to 5 and Mr. N.R.R. Arun Natarajan, learned Special Government Pleader appearing for the sixth respondent temple.

3 The issue involved in this writ petition pertains to cancellation of patta issued to the sixth respondent temple in respect of Grama Natham land in Old Survey Nos.53 & 59/5 in North Kurunjipadi Village, Kurinjipadi Taluk, Cuddalore District, and issuance of patta to the petitioner and other residents of the locality in question.



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4 The petitioner's case, in essence, is that the Trustees of the sixth respondent temple, without being in possession of the property and without having any title document, using their influence with the Revenue officials, obtained patta for the temple during 1994 – 1996 and with the help of the respondents 5 and 7, viz., the Executive Officer of the Kurinjipadi Town Panchayat and the Inspector of Police, respectively, the Trustees of the sixth respondent temple are attempting to dispossess the petitioner and the other residents of the locality; hence, many a representation seeking cancellation of patta issued to the sixth respondent temple and issuance of patta favouring the residents of Puliyanthoppu, were addressed and since the authorities have turned a Nelson's eye to the same, the present writ petition has been filed in the form of a public interest litigation.

5 That there is a rival claim with regard to the title to the property wherein the temple is situated, is not in dispute. Such being the case, this Court cannot grant the relief as sought by the



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petitioner. However, it is open to the petitioner to move the competent authority and place all materials at his command and get his grievance ventilated.

With the above observation, this writ petition stands disposed of sans costs. Connected W.M.P. stands closed.

(R.M.D., ACJ.) (M.S.Q., J.)
14.06.2024

Index : Yes/No
NC : Yes/No
cad

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