



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08-02-2024

CORAM

THE HONOURABLE MR.JUSTICE S.M. SUBRAMANIAM

**WP No.23111 of 2021
And
WMP No.24358 of 2021**

A.Kanthappan

.. Petitioner

-VS-

1.The District Collector,
Office of the District Collector,
Vengaikkal,
Tiruvannamalai.

2.The Tahsildar,
Office of the Tahsildar,
Kilpennathur,
Tiruvannamalai.

3.The Block Development Officer,
Office of the Block Development Officer,
Kilpennathur,
Tiruvannamalai.

.. Respondents



Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents 1 to 3 herein to dispose of the representation made on 13.08.2021 and not to convert or reassign the temple land comprised in Survey No.197/1.

For Petitioner : Mr.Vimal B.Crimson
For Respondents : Mr.S.J.Mohamed Sathik,
Government Advocate.

ORDER

The relief sought for in the present writ petition is to direct the respondents 1 to 3 to dispose of the representation submitted by the petitioner on 13.08.2021 not to convert or reassign the temple land comprised in Survey No.197/1.

2. The petitioner states that he is the Managing Trustee of 'Arulmighu Vettavalam Pachayamman Thirukkoil'. The respondents have initiated action to put up some constructions in the land belongs to the petitioner-temple in Survey No.197/1. Vettavalam , Kilpennathur Taluk, Tiruvannamalai District.



3. Mr.Vimal B.Crimson, learned counsel for the petitioner would submit that the respondents have taken action to take away the temple land for public use and therefore, the petitioner sent a representation not to convert the land. Since the representation is kept pending, the present writ petition came to be instituted.

4. The learned Government Advocate, appearing on behalf of the respondents produced the copy of the Adangal (revenue records), which would reveal that the entire portion of the land in Survey No.197/1 is classified as 'Government Poramboke'. The physical features noted by the Authorities are stated in the Adangal records, wherein the name of the temple, namely, Pachayamman Temple, pond, tamarind tree and gym are available.

5. Mere mentioning of physical features in the Adangal record would not confer any right on the petitioner-temple to claim title or ownership. The land in Survey No.197/1 is classified as Government Poramboke and therefore, for all purposes, it is to be considered that the



temple was constructed in Government Poramboke land long before.

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6. That being so, the petitioner cannot claim any title or ownership in respect of the subject property by stating that the petitioner-temple is the owner of the property. Thus the claim of the petitioner in the present writ petition is misconceived and the relief as such sought for in the present writ petition cannot be granted.

7. Accordingly, the present writ petition stands dismissed. However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is also dismissed.

08-02-2024

Index : Yes/No
Internet: Yes/No
Speaking order/Non-Speaking order
Neutral Citation : Yes/No
Svn

To



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Vengaikkal,
Tiruvannamalai.
- 2.The Tahsildar,
Office of the Tahsildar,
Kilpennathur,
Tiruvannamalai.
- 3.The Block Development Officer,
Office of the Block Development Officer,
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Tiruvannamalai.

S.M.SUBRAMANIAM, J.



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