



W.P.No.404 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2024

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

W.P.No.404 of 2024

The Idol
A/m, Kothandarama Swamy Thirukovil,
Vaduvur,
Needamangalam Taluk,
Thiruvarur District 614 019.
Rep. By its Executive Officer.

... Petitioner

Vs.

- 1 The District Revenue Officer,
O/o. District Collectorate,
Thiruvarur.
- 2 The Revenue Divisional Officer,
Mannargudi,
Thiruvarur District.
- 3 The Special Tahsildar,
Natham Nilavari Thittam,
Mannargudi,
Thiruvarur District.
- 4 S.Gopalakrishnan

... Respondents



W.P.No.404 of 2024

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to dispose of the enquiry and pass final order in the appeal filed by the petitioner dated 09.09.2019 relating to cancellation of patta granted to the 4th respondent by the 3rd respondent for S.No. 335/13 for an extent of 0.01.00 hectares in Vaduvur Agraharam Village, Needamangalam Taluk, Thiruvarur District as per the proceedings of 1st Respondent to the 2nd respondent in Na.Ka.No. /8131/2020/Aa-1 dated 22.10.2020.

For Petitioner : Mr.K.Vijaya Raghavan

For R1 to R3 : Mr.T.Arunkumar
Additional Government Pleader

For R4 : Mr.M.Vijayaraghavan

ORDER

This Writ Petition has been filed to issue a Writ of Mandamus, to direct the first respondent to dispose of the enquiry and pass final order in the appeal filed by the petitioner dated 09.09.2019 relating to cancellation of patta granted to the fourth respondent by the third



W.P.No.404 of 2024

respondent for S.No. 335/13 to an extent of 0.01.00 hectares in Vaduvur Agraharam Village, Needamangalam Taluk, Thiruvarur District as per the proceedings of the first Respondent to the second respondent in Na.Ka.No. /8131/2020/Aa-1 dated 22.10.2020.

2. Heard the learned counsel appearing for the petitioner, the learned Additional Government Pleader appearing for the official respondents and the learned counsel for the private respondent and perused the materials available on record.

3. It is submitted by the learned counsel for the petitioner that A/m Kothandaramasamy temple situated in S.No.335/12 in Vaduvur village, Needamangalam Taluk. S.No.335/1 has been classified as Natham land and it was in possession of the temple and the same was subdivided into S.No.335/13. With respect to S.No.335/13, the third respondent has granted patta in favour of the fourth respondent herein, without giving notice to the petitioner or management of the temple. The Executive officer of the temple has given representation dated



W.P.No.404 of 2024

WEB COPY

09.09.2019 for cancellation of patta granted to the fourth respondent by the third respondent and appeal has also been filed before the first respondent. Since there was no response from the respondents, the petitioner has filed the present writ petition.

4. The learned Additional Government Pleader appearing for the official respondents submitted that final order has already been passed with regard to the appeal filed by the petitioner.

5. In reply, the learned counsel for the petitioner submitted that neither notice has been issued to the petitioner nor final order has been passed by the respondents.

6. Since the petitioner has filed the present writ petition seeking for simple writ of mandamus to dispose the petitioner's appeal, the first respondent is directed to consider the petitioner's appeal dated 09.09.2019 after affording due opportunity of hearing and notice to the writ petitioner, private respondent/R4, as well as rival claimants /



W.P.No.404 of 2024

interested parties, if already not issued notice and conduct enquiry if already not conducted, and dispose the appeal on merits and in accordance with law, if already not disposed of. Such exercise shall be completed within a period of two months from the date of receipt of a copy of this order.

7. With the abovesaid direction, the Writ Petition is disposed of.

There shall be no order as to costs.

13.02.2024

mfa

Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No

To

- 1 The District Revenue Officer,
O/o. District Collectorate,
Thiruvavur.
- 2 The Revenue Divisional Officer,
Mannargudi, Thiruvavur District.
- 3 The Special Tahsildar,
Natham Nilavari Thittam,
Mannargudi, Thiruvavur District.



WEB COPY



W.P.No.404 of 2024

P.VELMURUGAN, J.

mfa

W.P.No.404 of 2024

13.02.2024