



W.P.No.29241 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.11.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.29241 of 2024

R.Madhavan

...Petitioner

Vs.

1.The Additional Secretary,
Land Administration Department,
Secretariat, Chennai.

2.The District Collector,
Collectorate, Salem District.

3.The Sub Collector,
Mettur Dam – 1,
Mettur Taluk, Salem District.

4.The Tahsildar,
Mettur Taluk, Salem District/

5.The Joint Commissioner,
Hindu Religious Charitable Endowment
Department, Salem District.



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6.The Forest Officer,
Salem District.

7.The Forest Ranger,
Mettur Range Office,
Mettur Dam – 1, Salem District

...Respondents

Prayer: Writ Petition is filed under Article 226 to issue a Writ of Mandamus to direct the respondents to consider the claim of the petitioner with regard to issue of patta for Vettrayaswamy @ Vettrayaperumal Koil Temple and Temple premises and related land on basic of adverse possession comprised in S.No.536/1 in 11.31.0 Hectare located at Soragai Hills Kuttapatty Village, Mettur Taluk, Salem District and pass orders within a limited time frame in the light of the representation dated 19.02.2024.

For Petitioner : Mr. G.Punniakoti

For Respondents : Mr. R.P.Murugan Raja
1 to 4 Government Advocate

For Respondent : Mr. K.Karthikeyan



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Government Advocate
HR & CE

For Respondents :
6 & 7

Mr. Murthi
Government Advocate.

ORDER

The Writ Petition has been filed for a mandamus. It is the case of the petitioner that total extent of 217.31.0 hectares was the temple premises, of which 206.00.0 was notified as reserved forest and the remaining 11.31.0 hectares of land was in the possession of the temple.

2. The petitioner would further submit that they are unable to put up any basic amenities on the property as there is no patta standing in the name of the temple. Therefore, for the balance extent they made a representation on 19.02.2024. Since there was no action, present Writ Petition has been filed.



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4. The 4th respondent has filed a counter. In paragraph No.7 of the counter, it has been stated that the entire extent of 217.31.0 hectares is classified under the category “Hill”. However, the Gazette notification dated 21.11.1988 would read otherwise and it is only 206.00 hectares, which comes under the reserved forest area. Therefore, for the remaining extent the representation shall be considered taking into account the fact that the temple has been in existence for over several decades and patta shall be issued to the Temple, within a period of six weeks from the date of receipt of a copy of this order.

5. The Writ Petition is allowed. Consequently, the connected miscellaneous petition is closed. No costs.

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Index : Yes/No
Internet : Yes/No
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To

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P.T. ASHA, J,

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