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W.P.No.36939 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18.12.2024

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.36939 of 2024

Pachaiyappa's Trust Board,
Rep. By its Secretary,
Pachaiyappa's College Campus,
Chennai – 600 030.

...Petitioner

Vs.

1. The District Collector,
Mayiladuthurai District,
Mayiladuthurai – 609 001.
2. The Revenue Divisional Officer,
Sirkali Revenue Division,
Sirkali, Mayiladuthurai District.
3. The Tahsildar,
Sirkali Taluk, Sirkali,
Mayilduthurai District.

...Respondents

Prayer: Writ Petition is filed under Article 226 to issue a Writ of Mandamus, directing the respondents to rectify the mistakes and restore the name of the petitioner viz., Pachaiyappa's Trust Board in the revenue records including computer patta of its lands / properties viz., Thenagudi Estate in Survey Nos. 256, 258/1, 265/1, 267/2A, 268/2, 269/2, 269/4, 270/3A, 270/5, 271/3, 271/5, 271/6, 272/1, 273/12, 273/4, 276/2, 276/4,



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280/1, 280/4, 287/4, 288/1, 288/3, 290/1, 290/4, 486, 487/2, 489/2, 490, 491/2, 491/5, 491/6, 492/2, 493/1, 493/5, 494/1, 495/2, 496/2, 496/4, 496/6, 496/8, 502/3, 502/4, 503, 504, 505/1, 506, 507/1, 507/3, 508/1, 509, 510, 511/1, 512/1, 513, 514/1, 514/3, 515/1, 515/3, 516/1, 517/1, 518/2, 518/4, 519, 520/1 & 520/3, to an extent of 63 Hectors 17 Ares Nanja Lands, and Survey Nos.258/2, 260, 264/1, 264/2, 264/4, 264/6, 264/8, 268/1, 269/5, 269/6A, 270/1, 270/2C, 270/6A, 271/7A, 271/8, 272/4C, 272/5A, 272/6B, 272/8, 273/2, 273/8H, 287/1B, 487/3, 495/1 and 502/1, to an extent of 5 Hectors 53.50 Ares Punja lands, situated at no.55, Agani Village, Sirkali Taluk, Mayiladuthurai District forthwith based on the application of the petitioner Trust dated 22.09.2023.

For Petitioner : Mr. M.R.Jothimanian

For Respondents : Mr. M.R.Gokul Krishnan
Additional Government Pleader

ORDER

The Writ petition has been filed for issuing a Writ of Mandamus, directing the respondents to rectify the mistakes and restore the name of the petitioner viz., Pachaiyappa's Trust Board in the revenue records including computer patta in respect of various properties situated in Agani Village, Sirkali Taluk, Mayiladuthurai District, on the basis of the application filed by the petitioner Trust dated 22.09.2023.



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2. The grievances of the petitioner is that the lands in question have been gifted by Rajah of Thanjavur Samasdhanam to the Testator of the Trust namely Shri Pachaiyappa Mudalier in the 18th Century. The Testator had decided to establish various religious charities throughout Tamil nadu and more particularly to Sri Sabanayagar (Natarajar) Temple at Chidambaram and properties have been dedicated for said religious charities. In respect of the land of Sri Sabanayagar Temple represented by Pachaiyappas Trust, there is no dispute with reference to title over the property and that apart the petitioner trust has been doing several charities during various festivals. The petitioner's trust also recently paid a sum of Rs.2 crores for renovation of Shri Natarajar and Sivagami Ammal Cars in the year 2013-14 and a sum of Rs.40,00,000/- has been paid for repairing the cars.

3. The petitioner Trust owns large extent of lands in Tenagudi Estate which is registered by the petitioner trust in the year 1965 before the settlement Tahsildar No.III Thanjavur for granting Ryothwari Patta and the same was rejected by the Settlement Tahsildar holding that the properties belonged to the temple. Therefore, the patta was issued in the name of Sri



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Sabanayagar Temple represented by Pachaiyappas Trust Board, Madras.

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4. In the year 2022 when the revenue records were updated, it was found that the name of the trust was removed from the patta passbook and mutated in the name of Arulmigu Sabanayagar Temple Dharuga. Therefore, the petitioner made a representation dated 19.05.2022 and the same not been considered till date. Therefore, the petitioner is before this Court.

5. Heard the learned counsels on the either side and perused the records.

6. Admittedly, the petitioner's Trust has been granted patta by the Settlement Tahsildar and the same has not been considered till date. Originally, the patta stood in the name of some other person and by order passed by the Settlement Tahsildar it was directed to be issued in the name of Sri Sabanayagar Temple represented by Pachaiyappas Trust, and this order has not been challenged. However, now the patta stands in the name of Arulmigu Sabanayagar Temple Dharuga deleting the name of the petitioner's trust. An enquiry was conducted for grant of patta by the



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Settlement Tahsildar under section 154 of the Act in respect of Sri Sabanayagar Temple represented by Pachaiyappas Trust Board, Madras.

Therefore, though the request was made by the petitioner for considering the representation however, taking note of the above facts the respondent is directed to correct the entry as directed by the order passed by the settlement Tahsildar dated 31.03.1968 as Sri Sabanayagar Temple represented by Pachaiyappas Trust Board, Madras, within a period of six weeks from the date of receipt of copy of this order.

7. With the above directions, this Writ Petition is disposed of.

No costs.

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Index : Yes/No
Internet : Yes/No
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P.T. ASHA, J,

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To

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Mayiladuthurai District,
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