



W.P(MD)No.17372 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Reserved on : 01.08.2024

Pronounced on : 15.10.2024

CORAM

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.17372 of 2023

R.Ravi

.... Petitioner

Vs.

- 1.The District Collector,
Trichy Collector Office,
Tiruchirappalli – 620 001.
- 2.The District Revenue Officer,
Trichy Collector Office,
Trichy – 620 001.
- 3.The Revenue Divisional Officer,
Srirangam Revenue Divisional Office,
Vannankovil,
Navalur Kuttapattu Post,
Trichy – 620 009.
- 4.The Tahsildar,
Srirangam Taluk Office,
Thiruvanaikoil,
Trichy – 620 005.
- 5.The Executive Officer,
Srirangam Ranganathaswamy Temple,
Srirangam, Tiruchirappalli – 620 006.

... Respondents



W.P(MD)No.17372 of 2023

Prayer : Writ Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to revert back the patta to its rightful owners in the survey number 2545 in Renganagar Colony, Vellithirumutham Village, Srirangam, as requested in the representations dated 10.05.2022 subsequently correct all the records of municipality & Land Survey records, temple records, etc.

For Petitioner : Mr.R.Ravi
Party-in-person

For Respondents : Mr.D.Sasi Kumar
Additional Government Pleader
for R.1 to R.4

Mr.Saravanan for R.5

ORDER

Heard the writ petitioner in person, the learned Additional Government Pleader appearing for the respondents 1 to 4 and the learned counsel appearing for the fifth respondent temple.

2.The petitioner is a resident of Santhana Lakshmi apartments, Melur Road, Srirangam. It is comprised in T.S.No.2545 (Old Survey No.762/Part 1), Vellithirumuttham Village, Srirangam, Trichy. The said land has been classified in the revenue records as “temple land” belonging to the Srirangam



W.P(MD)No.17372 of 2023

Ranganathaswamy Temple. The petitioner seeks deletion of such entry.

According to him, it is a private land and that patta should be issued. In this regard, the petitioner has given very many representations. In the writ prayer, he has mentioned that representation dated 10.05.2022 was submitted to the District Collector, Tiruchirappalli in this regard. The petitioner argued strenuously before this Court and submitted that the land in question is not covered by TD1027. He took me through the materials enclosed in the typed set of papers and tried to demonstrate by comparing the position that obtained in each A-Register.

3.The fifth respondent temple has filed counter affidavit and they have denied the assertions of the petitioner.

4.The prayer in the writ petition is only for Writ of Mandamus. It is well settled that the writ Court would not be justified in assuming jurisdiction in the very first instance. The petitioner has given representation before the District Collector, Tiruchirappalli and it is only just and proper that the first respondent takes a call in the first instance. This is primarily because disputed facts are involved and the writ Court would not be justified in taking up adjudication now itself.



W.P(MD)No.17372 of 2023

5.I direct the first respondent to dispose of the petition mentioned representation on merits and in accordance with law within a period of three months from the date of receipt of a copy of this order. Considering the special facts and circumstances, the first respondent will grant personal hearing to the petitioner. I am mindful of the fact that that first respondent as the head of the District Administration is loaded with duties and it may not be fair to expect the first respondent to hear the petitioner like a civil Judge. The petitioner is therefore granted 15 minutes' to present the facts. The petitioner can file his written arguments. Of course, before passing any final order, the first respondent will hear the fifth respondent also. All the relevant revenue records indicated by the petitioner will be carefully perused. The first respondent shall pass a speaking order. The issue for determination is whether Survey No.2545 in which the petitioner is presently residing is a temple land or not. I make it clear that I have not gone into the merits of the matter.

6.This Writ Petition is disposed of accordingly. There shall be no order as to costs.

15.10.2024

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA



W.P(MD)No.17372 of 2023

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W.P(MD)No.17372 of 2023

G.R.SWAMINATHAN, J.

MGA

W.P(MD)No.17372 of 2023

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