



W.P.(MD)No.20262 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.08.2024

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.(MD)No.20262 of 2024

Kuthalingam

... Petitioner

Vs.

- 1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Uthamar Gandhi Road,
Nungambakkam,
Chennai.
- 2.The Joint Commissioner,
O/o. the Joint Commissioner Office,
Hindu Religious and Charitable Endowments Department,
Tuticorin.
- 3.The Assistant Commissioner,
O/o.the Assistant Commissioner Office,
Hindu Religious and Charitable Endowments Department,
Thoothukudi.
- 4.The District Revenue Officer,
O/o.the District Revenue Officer,
Kodikurichi-Tenkasi Road,
Tenkasi.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to dispose of the pending petition before the second respondent Joint Commissioner Court in view of the order passed by the fourth respondent in Ni.Mu.O1-8499-2023 dated 24.01.2024 as expeditiously as possible and within a stipulated time period to be fixed by this Court.

For Petitioner : Mr.S.Ramsundar Vijayraj

For Respondents : Mr.K.S.Selva Ganesan
Additional Government Pleader

ORDER

This Writ Petition is filed praying for a Mandamus, directing the second respondent to dispose of the petition pending on the file of the second respondent, in view of the order passed by the fourth respondent dated 24.01.2024.

2. It is submitted by the learned counsel for the petitioner that the petitioner and his brother were the subsequent purchaser of the subject property. However, the same was wrongly entered as Temple property in the UDR. In this regard, the petitioner sent representations to the authorities seeking modification of the UDR patta in his favour and in response thereof, the fourth respondent vide order dated 24.01.2024, stated that as a petition regarding



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modification of UDR patta of the subject property was pending before the second respondent and the petitioner can avail appropriate remedy subject to the outcome of the said petition. Since no steps are taken by the second respondent to dispose of the said petition, the present petition is filed.

3. It is submitted by the learned Additional Government Pleader for the respondents that the petition pending before the second respondent would be considered and orders would be passed by the second respondent thereon in accordance with law.

4. In view of the same and taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the second respondent to dispose of the aforesaid petition, on its own merits and pass appropriate orders in accordance with law, after affording reasonable opportunity of hearing to the petitioner and stakeholders, if any, within a period of eight (8) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any views with regard to the merits of the representation and it is open to the concerned respondent to dispose the petition on its own merits and in accordance with law.



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5. With the above direction, the Writ Petition stands disposed of. No costs.

27.08.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr

To:

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Chennai.
- 2.The Joint Commissioner,
O/o. the Joint Commissioner Office,
Hindu Religious and Charitable Endowments Department,
Tuticorin.
- 3.The Assistant Commissioner,
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- 4.The District Revenue Officer,
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MOHAMMED SHAFFIQ, J.

Nsr

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