



WP(MD)No.20275 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

WP(MD)No.20275 of 2024

P.R.Muthudurai

: Petitioner

Vs.

1.The District Collector,
Tenkasi District.

2.The Revenue Divisional Officer,
Sankarankovil Taluk,
Tenkasi District.

3.The Tahsildar,
Sankarankovil Taluk,
Tenkasi District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 30.07.2024 and consequently, directing the third respondent to transfer the patta to the petitioner for the



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lands in S.Nos.557/1 to an extent of 0.28.0 (out of 0.73.0), 557/2 to an extent of 0.12.0, 557/3 to an extent of 0.11.5, 557/4 to an extent of 0.15.5, 557/5 to an extent of 0.14.0, 557/7 to an extent of 0.08.5, 557/8 to an extent of 0.06.0, 557/9 to an extent of 0.06.0, 557/10 to an extent of 0.07.0, 557/12 to an extent of 0.13.0 of Kalappakulam Village, Sankarankovil Taluk, Tenkasi District.

For Petitioner : Mr.P.Arumuga Rajan

For Respondents: Mr.B.Saravanan
Government Advocate

ORDER

The petitioner has approached this Court seeking a direction as against the third respondent / Tahsildar to consider his representation dated 30.07.2024, for transferring the patta for the lands in S.Nos.557/1 (part), 557/2 to 557/5, 557/7 to 557/10, 557/12 of Kalappakkulam Village, Sankarankovil Taluk, Tenkasi District.

2.The case of the petitioner is that he purchased 1 Acre 69 Cents of lands in S.Nos.557/11, 551/16, 557/18, 557/17, 557/40, by way of a



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registered sale deed dated 10.08.2015, from one Nagarathina Nadar, through his power agent, Jayalakshmi. The petitioner's vendor has also sold some portion of the lands in the above survey numbers to one Alagirisamy and T.Kalirasu. The petitioner exchanged his properties from the said Alagirisamy and T.Kalirasu, through their power agent, Siranjeevi Rathina Kumar S/o.Sankaranarayanan, by way of a registered exchange deed dated 10.08.2017. Thereafter, he applied for change of patta in the month of June, 2024 and has approached this Court.

3.Mr.B.Saravanan, learned Government Advocate, takes notice for the respondents and submitted that the petitioner is not the owner of the properties in S.Nos.557/1 to 557/5, 557/7 to 557/10, 557/12. These lands belong to Arulmigu Sankaranarayana Swami Temple, Sankarankovil. The Deputy Commissioner / Executive Officer of the Temple has already issued a notice on 04.09.2020 that these lands belong to the Temple. Therefore, there is no scope for granting any patta to the subject lands in favour of this petitioner.



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4.This Court considered the rival submissions made on either side and perused the materials placed on record.

5.According to the petitioner, he has purchased certain lands to an extent of 1 Acre 69 Cents from one Nagarathina Nadar, through his power agent, on 10.08.2015. These lands have been exchanged with one Alagirisamy and T.Kalirasu, through their power agent, in the year 2017. Even after this transaction in the year 2017, the petitioner has submitted for change of patta only in the year 2024.

6.A specific stand has been taken by the third respondent that these lands belong to Arulmigu Sankaranarayana Swami Temple, Sankarankovil and that the Deputy Commissioner / Executive Officer of the Temple has already raised objections for issuing any patta for these lands.

7.In view of the specific stand taken by the third respondent, this Court is not inclined to issue any direction to the respondents. Moreover, the petitioner has not impleaded the Executive Officer of Arulmigu



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Sankaranarayana Swami Temple, Sankarankovil, as a party to this writ petition.

Therefore, this writ petition is dismissed, with liberty to the petitioner to work out his remedy in the manner known to law. No costs.

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

27.08.2024

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B.PUGALENDHI, J.

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