



W.P.(MD) No.24880 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.10.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.24880 of 2024

R.Moorthy

.. Petitioner

Vs.

1.The District Collector,
Madurai District.

2.The Tahsildar,
Usilampatti Taluk,
Madurai District.

3.M.Otchath Thevan

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus directing the second respondent to consider the petitioner's representation dated 30.08.2024 pertaining to giving opportunity to the petitioner in relation to seeking issuance of patta by the third respondent for the temple property under Natham Survey No.30/9A at Sindhupati Village, Usilampatti Taluk, Madurai District which is already in the name of temple under patta number 214 and for consequential orders.



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For Petitioner : Mr.K.R.Laxman
For R1 & R2 : Mr.B.Saravanan
Additional Government Pleader

ORDER

Seeking a mandamus to the second respondent to consider his representation dated 30.08.2024, the petitioner is before this Court.

2. The petitioner would submit that the property comprised in S.No.30/9A, Sindhupatti Village, Usilampatti Taluk, Madurai District is currently registered under Patta No.214 in the name of a temple viz., Arulmighu Patta Swami Temple. However, there were attempts to transfer the patta from the name of the temple to the individuals, which was objected to by the petitioner. The petitioner had submitted a request that the patta could not be changed without hearing his objections. The petitioner had also submitted a representation to the second respondent dated 30.08.2024 calling upon the second respondent to give the petitioner an opportunity to hear the objections. However, the second respondent has declined to grant a personal hearing. Therefore, the present writ petition.



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3. Heard the learned counsel on either side.

4. Considering the fact that the patta standing in the name of the temple is now sought to be changed, the objections on the side of the temple have to necessarily be heard and since the petitioner has made a representation, the second respondent shall pass orders on the application seeking change of patta, only after hearing and recording the objections made by the petitioner. Therefore, a mandamus is issued directing the second respondent to hear the objections of the petitioner as requested in his representation dated 30.08.2024 and thereafter, pass orders within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is allowed. No costs.

22.10.2024

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

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P.T.ASHA, J.

abr

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