



W.A.(MD) Nos.2171 of 2024 and batch

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.10.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.A.(MD)Nos.2171, 2172, 2173,
2174, 2175, 2176 and 2177 of 2024
and
C.M.P.(MD)Nos.15249, 15253, 15254,
15255, 15256, 15257 and 15259 of 2024**

W.A.(MD)No.2171 of 2024:-

The Executive Officer,
Arulmigu Kalamega Perumal Thirukovil,
Thirumohur, Madurai District 625107.

... Appellant

-VS-

1.Baskaran

2.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Madurai, Madurai District - 625 001.

3.The Sub Registrar,,
Office of the Sub Registrar,
Y.Othakadai,
Madurai District.

... Respondents



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Writ Appeal filed under Clause 15 of Letters Patent to allow this Writ Appeal by setting aside the order, dated 20.08.2024 made in W.P.(MD).No.18664 of 2022.

For Appellant : Mr.S.Manohar

For Respondents : Mr.G.Chandrasekar for R1.
Mr.S.P.Maharajan,
Special Government Pleader for R2.
Mr.P.Subbaraj,
Special Government Pleader for R3.

COMMON JUDGMENT

[Judgment of the Court was made by R.SUBRAMANIAN, J.]

The grievance of the temple is that the lands are inam lands and therefore, the Writ Court ought not to have granted the direction as it had granted to register the document.

2.The learned Single Judge has found that pattas have been granted to the individuals by the Settlement Tahsildar as early as on 17.05.1967 on condition. There was nothing on record to show that amounts have not been paid. Once patta has been granted and the order of the Settlement Tahsildar after



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hearing the temple, has reached its finality, the land will vest with the pattadars and the temple will not have any title. The prayer for Writ of Mandamus to register a document to be executed was forced to be made because of the fact that the registration department had put “zero” value for the land thereby, making registration impossible. The Writ Court has also protected the right of the temple to establish its title before a competent Civil Court. Hence, we do not see any reason to interfere with the order of the Writ Court and the writ appeals fail and they are accordingly dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

NCC : No
Index : No
ias

[R.S.M., J.] [L.V.G., J.]
29.10.2024

To:

- 1.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Madurai, Madurai District - 625 001.
- 2.The Sub Registrar,,
Office of the Sub Registrar,
Y.Othakadai,
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