



W.P.(MD) No.25848 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.10.2024

CORAM:

**THE HONOURABLE MR.K.R.SHRIRAM, CHIEF JUSTICE
and
THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ**

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Thaenrajan

... Petitioner

-VS-

- 1.The District Collector
Virudhunagar District
Virudhunagar
- 2.The Joint Commissioner
Hindu Religious and
Charitable Endowments Department
Madurai
- 3.The District Revenue Officer
Virudhunagar District
Virudhunagar
- 4.The Assistant Commissioner
HR & CE
Virudhunagar



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5.The Tahsildar
Kariyapatti Taluk
Virudhunagar District

6.The Fit Person
Pudhumaiudaya Ayyanar and
Karuppasamy Thirukoil
Aviyur
Virudhunagar District

7.Palani

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 to 6 to remove the encroachment made by the seventh respondent and consequently issue direction to the revenue officials to mutate the Patta for the lands in S.No.82/4 in Aviyur Village and S.No.126/2 in Arasankulam Village in the name of “Puthumaiudaya Ayyanar and Karuppasamy Temple” within a time stipulated by this Court.

For Petitioner : Mr.S.Bala Karthick

For Respondents : Mr.P.T.Thiraviyam
Government Advocate for R1 to 5

ORDER

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Relief sought in the petition is in two parts. The first part is for a writ of mandamus to direct respondent Nos.1 to 6 to remove the encroachment made by respondent No.7 and the second part is to direct the revenue officials to mutate the patta for the lands in the name of Puthumaiudaya Ayyanar and Karuppasamy Temple.

2. As regards the first part, i.e., removal of encroachment by respondent No.7, Shri P.T.Thiraviam appearing for respondent Nos. 1 to 5 states that subsequent to the order dated 29.02.2024, passed by this Court in W.P. (MD) No.4697 of 2024, the encroachment has been removed. Counsel makes this statement on instructions from respondent No.5 – the Thasildar and as on date, there is no encroachment. Statement is accepted.

3. As regards the second part i.e., grant of patta to the said temple, Shri.P.T.Thiraviam states that respondent No.4 has already applied to respondent No.3 for grant of patta to the said temple and that application is



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under consideration. Counsel states that respondent No.3 shall take a decision and pass order after following due process, on or before 31st December, 2024.

4. Writ petition is disposed of. There shall be no order as to costs.

[K.R.SHRIRAM., C.J.]

[MOHAMMED SHAFFIQ,

J.]

28.10.2024

NCC : Yes / No

Index : Yes / No

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Virudhunagar.

2.The Joint Commissioner,
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3.The District Revenue Officer,
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THE HON'BLE CHIEF JUSTICE
and
MOHAMMED SHAFFIQ, J.

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