



W.P.No.1504 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.01.2025

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.No.1504 of 2025

W.M.P.No.1760 of 2025

S.Nagappan

...Petitioner

Vs

1.The Government of Tamil Nadu,
Represented by its Principal Secretary,
Revenue Department,
Fort St.George,
Chennai – 600 009.

2.The District Collector,
Villupuram District.

3.The Revenue Tahsildar,
Tindivanam,
Villupuram District

...Respondents

PRAYER :-Writ Petition filed under Article 226 of the Constitution of India, pleaded to issue Writ of Certiorarified Mandamus, calling for the records of the Revenue Tahsildar, Tindivanam, Villupuram District culminating in Na.Ka.A4/1994/2024 dated 18.10.2024 the 3rd respondent herein and quash the same and further direction to the 3rd respondent to issue patta in the name of the Sri Arulmighu Muthumarimman Temple in Survey No.102 /1 Old Survey No.35, 0.59 cents in Neikuppi Village Tindivanam Taluk Villupuram District.



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For Petitioner : Mr.K.Balakrishnan
For Respondents : Mr.P.Sathish
Additional Government Pleader
(For R1 to R3)

ORDER

The petitioner is before this Court seeking to quash the order passed by the third respondent as being contrary to the directions issued in the earlier Writ Petition No.26774 of 2024.

2.The petitioner's contention is that the subject property is being utilized by the Arulmigu Sri Muthumariamman Temple, Neikuppi. However patta has not been issued in respect of the property which measures 59 cents in S.No.102/1, Neikuppi Village. The petitioner would submit that in an earlier Writ Petition which was filed to grant patta, by an order dated 12.09.2024, this Court had disposed of the Writ Petition taking note of the submission of the petitioner herein that the issue of patta is for the benefit of the Temple. Recording the same, Writ Petition was disposed of directing the third respondent to consider the application in the light of the above statement. The impugned order which was the order passed pursuant to the order in W.P.No.26774 of 2024. The request has been rejected on the ground that there is no document to show the petitioner had purchased the property and that the property was being



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used only by the Temple. The impugned order shows the non application of mind on the part of the respondents. Aggrieved by the same, the petitioner is before this Court.

3.Heard the learned counsels on either side and perused the records. Mr.P.Sathish, the learned Additional Government Pleader takes notice on behalf of respondents 1 to 3.

4.A mere perusal of the impugned order clearly demonstrates the total non-application of mind on the part of the third respondent. In the earlier Writ Petition there has been undertaking given by the petitioner to issue patta in the name of the Temple and not in his personal name. The third respondent after taking into account the fact that the lands were being used by the Temple has rejected the request stating that the petitioner has not proved his right to the property without appreciating the order passed in the earlier Writ Petition.

5.In the result, the Writ Petition is allowed, impugned order is set aside and a mandamus is issued to the third respondent to consider the petitioner's representation afresh in the light of the specific undertaking of



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the petitioner that the patta be granted in the name of the Temple within a period of three weeks from the date of receipt of copy of this order. No costs.

24.01.2025

Index : Yes/No
Internet : Yes/No
Speaking Order/Non Speaking Order
ep



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P.T.ASHA, J,

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To

1.The Government of Tamil Nadu,
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2.The District Collector,
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