



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2025

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THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

W.P.No.3890 of 2025
and
W.M.P.No.4308 of 2025

R.Pothumani

... Petitioner

Vs.

1. The District Collector,
Collectorate, Cotton Market Building,
Tiruppur, Tamil Nadu – 641 604.

2. The Revenue Divisional Officer,
185, Tiruppur Road,
Kannipiran Colony, Valipalayam,
Tamil Nadu – 641 601.

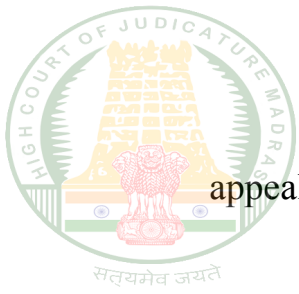
3. The Tahsildar, Taluk Office,
Pollachi Udamalpet Road,
Palladam, Tamil Nadu – 641 664.

4. The Joint Commissioner,
Hindu Religious & Charitable Endowments Department,
Coimbatore.

5. The Executive Officer,
Shree Angalamman Temple,
Palladam.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus, directing the second respondent to dispose of the



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appeal filed on 09.10.2024 within a time frame fixed by this Hon'ble Court.

For Petitioner : M/s.V.Srimathi
For R1 to R3 : Mr.R.P.Muruganraja,
Government Advocate
For R4 : Mr.K.Karthikeyan,
Government Advocate
For R5 : Mr.L.Mouli

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the second respondent to dispose of the appeal filed on 09.10.2024 within the time frame fixed by this court.

2. When the writ petition came up for hearing on 12.02.2025, this court passed the following order:-

“This writ petition has been filed seeking a direction to the second respondent to dispose of the appeal filed by the petitioner on 09.10.2024 wherein the petitioner is seeking for cancellation of the patta standing in the name of the fifth respondent temple.

2. When the matter was taken up for hearing today, learned counsel for the fifth respondent



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submitted that the petitioner has already filed a suit in O.S.No.44 of 2022 before the Sub-Court, Palladam, seeking for the relief of declaration against the fifth respondent temple represented by its Managing Trustee and the said suit is pending.

3. This Court carefully went through the affidavit filed in support of the writ petition and there is not even a mention about the pending suit before the competent Court. Learned counsel for the petitioner submitted that he is not aware of the pendency of the suit and he seeks time to get instructions.

4. In the considered view of this Court, if the suit is pending and if the same has not been mentioned in the affidavit that by itself will be a ground for this Court to dismiss this writ petition. Therefore, learned counsel for the petitioner shall take instructions and if any such suit is pending, this Court will be left with no other alternative except to dismiss this writ petition.

Post this writ petition at the end of the motion list on 19.02.2025.”

3. When the writ petition was taken up for hearing today, the suit



filed by the petitioner in O.S.No.44 of 2022 was placed before this court.

This suit is pending on the file of the Sub-Court, Palladam, and the petitioner has sought for the following relief in that suit:-

“26. Therefore, the plaintiff prays that the Hon'ble Court may kindly be pleased to

a. Declare that the title in the suit property of 9147 square feet (21 cents) in S.F.No.334/1A 26 vests with the Plaintiff as per Sale Deeds of 224/1993 and 3630/1998 and the Plaintiff is the absolute owner of the suit property and consequently restrain the 6th defendant and his men from disturbing the plaintiff's peaceful possession, occupation and enjoyment of the suit property in any manner whatsoever by way of permanent injunction.

b. Directing the 3rd and 4th defendant to issue patta in the name of the Plaintiff for the suit property.

c. Grant such other further reliefs as the Hon'ble court may think fit and proper in the circumstances of the case and thus render justice.”



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4. In view of the above, it is left open to the petitioner to work out the remedy in the pending suit and no further orders can be passed in this writ petition and accordingly, this writ petition stands dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

19.02.2025

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Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No

To

1. The District Collector,
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Tiruppur, Tamil Nadu – 641 604.
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N. ANAND VENKATESH, J.

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