



W.A.No.1714 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.11.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.A.No. 1714 of 2023

and

C.M.P.No.15180 of 2023

P.Venkata Subramanian

...Appellant

Vs.

1.ArulmiguVishweswara Swamy,
Vishalakshiamman, Subramania Swamy Thirukkcoil,
Rep. By its Executive Officer,
Nallur, Tiruppur Taluk,
Coimbatore District – 641 606.
(Present Tirupur District).

2.The Principal Secretary and
Commissioner of Land Administration,
Chepuak, Chennai – 600 005.

3.The Additional District Magistrate &
District Revenue Officer, Coimbatore,
Office of the District Revenue Officer,
Coimbatore.



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4.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Tiruppur, Coimbatore District,
Present Tiruppur District.

5.The Tahsildar,
Tiruppur Taluk,
Coimbatore District,
(Present Tiruppur District).

6.The Commissioner,
HR&CE Department,
No.119, Uthamar Gandhi Salai,
Nungambakkam, Chennai – 60 0034.

[R6, Suo motu impleaded vide order dated 28.11.2024.]

...Respondents

PRAYER: The Writ Appeal filed under Clause 15 of the Letters Patent praying
to set aside the order made in W.P.No.5849 of 2009 on 01.03.2022.

For Appellant : Mr.V.Karthikeyan

For Respondents : Mr.K.Ashok Kumar for R1

Mr.D.Ravichander,

Spl. Govt. Pleader for R2 to R5

Mr.S.Ravichandran,

Addl. Govt. Pleader HR&CE for R6

J U D G M E N T



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(Judgment of the Court was delivered by S.M.SUBRAMANIAM, J.)

The writ order dated 01.03.2022 made in W.P.No.5849 of 2009 is sought to be assailed in the present Writ Appeal.

2. The Writ Petition has been instituted by the 1st respondent challenging the orders passed by the 2nd respondent and 4th respondent.

3. The learned counsel for the appellant would mainly contend that the settlement Tahsildar, Gobichettipalayam in his proceedings dated 17.11.1968 recorded that the appellant is the owner of the property. Therefore, the claim of the 1st respondent temple is untenable. He would further contend that the finding of the District Revenue Officer in his proceeding dated 27.06.2003 has been reversed by the appellate Authority. Therefore, the said order cannot be relied on by the respondents.

4. The learned counsel for the 1st respondent as well as the Special Government Pleader appearing for the official respondents would oppose by



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stating that as per the 1968 order passed by the Settlement Tahsildar, payment towards land revenue has not been paid during the relevant point of time. Therefore, the land vests with the temple and the application has been filed in the year 2001, after a lapse of more than 30 years. Therefore, the application submitted in the year 2001 itself is not maintainable. The order of the Settlement Tahsildar dated 17.11.1968 holds as follows:-

Evidence also shows that no portion of these lands is set apart or used for any communal purposes. No other claims or objections were received. I, therefore determine that P.W.2, is entitled to ryotwari patta in respect of the land specified in Schedule 'A' below and allow him accordingly under Section 8(2)(i)(b) read with Section 11 of Madras Minor Inam (Abolition and Conversion into Ryotwari) Act, 1963 subject to payment of an amount of such land and the land revenue due on such land as determined by Tahsildar, Tirupur in accordance with the provisions of the said Act.

I also hold that Visweswaraswamy Visalakshi Subramaniswamy temple located at Nallur (Represented by its Trustee for the time being R.Muthuswamy Gounder) is entitled to ryotwari patta in respect of the land specified in schedule 'B'



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below and allow it accordingly under Section 8(2)(ii) read with Section 11 of Madras Minor Inam (Abolition and Conversion into Ryotwari) Act, 1963.

5. With reference to the said order the learned counsel for the 1st respondent would submit that the Assistant Settlement Officer, Gobichettipalayam re-classified the lands in S.No.292/2 into two parts as S.Nos.292/2A and 292/2B and granted patta under Section 8(2)(ii) read with Section 11 of Madras Minor Inam (Abolition and conversion into Ryotwari) Act, 1963 in S.R.No.653/68 M.I Act/ Palladam Taluk/ dated 17.11.1968 as follows:-

HIGHWAY

LAND BELONGING TO THE TEMPLE

in Survey No.292/2B

6.26 acres (2.53.05 hectares)

LAND BELONGING TO THE APPELLANT

in Survey No.292/2A

1.71 acres (0.69 hectares)

6. The said classification remain unchanged for more than 30 years.

After a lapse of more than three decades and based on the application



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submitted by the appellant in the year 2001, the Revenue Divisional Officer has re-classified and sub-divided the subject land, which is found to be not in accordance with law by the writ Court.

7. Once the Settlement Officer passed an order in the year 1968 that any application seeking patta is entertainable before the cutoff date fixed by the Government, if any such application is filed under Abolition Act, it must be filed within the time limit as contemplated under the Act.

8. In the present case, application is submitted in the year 2001, beyond the cutoff date fixed by the Government for submitting the application. Therefore, the writ court is correct in considering the claim set out by the 1st respondent/ writ petitioner temple. In view of the above facts and circumstances, this Court is not inclined to interfere with the order of the writ Court and the same stands confirmed.

9. Accordingly, this Writ Appeal is **dismissed**. No costs. Consequently,



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connected miscellaneous petition stands closed.

(S.M.S., J.) (M.S.Q., J.)
25.11.2025

dsa

Index :Yes/No

Neutral Citation :Yes/No

Speaking/Non-speaking order

To

1.Executive Officer,
ArulmiguVishweswara Swamy,
Vishalakshiamman, Subramania Swamy Thirukkoil,
Nallur, Tiruppur Taluk,
Coimbatore District – 641 606.
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