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WMP.No.22248 of 2025 in W.P.No.33215 of 2024,
and W.P.No.36782 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.06.2025

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

WMP.No.22248 of 2025 in W.P.No.33215 of 2024
and
W.P.No.36782 of 2024

WMP.No.22248 of 2025 :

Arulmigu Seetha Ramasamy Devasom
Pushpagiri Agraharam
Punkunnam, Thrissur District
Kerala - 680 002.

Vs

- 1.Patteeswaran
- 2.The District Collector
Coimbatore District
Coimbatore - 641 018.
- 3.The District Revenue Officer
Coimbatore District
Coimbatore - 641 108.
- 4.The Special Deputy Collector (Revenue)
Tiruchirapalli District, Tiruchirapalli - 620 001.
- 5.The Tahsildar
Anaimalai Post and Taluk
Coimbatore District - 642 104.

.... Respondents



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WMP.No.22248 of 2025 in W.P.No.33215 of 2024,
and W.P.No.36782 of 2024

For Petitioner :
(in WMP.2248/2025)

Mr.A.L.Somayaji, Senior Counsel
for Ms.D.Chitra Maragatham

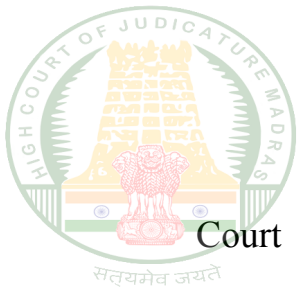
For Respondents :
(in WMP.2248/2025)

Mr.M.R.Gokulkrishnan
Additional Government Pleader
[R2 to R5]

COMMON ORDER

The writ petition in W.P.No.33215 of 2024 was filed by one Patteeswaran, the cultivating tenant under the fifth respondent-Devasthanam, seeking to refrain the respondents therein including the Devasthanam from disturbing his peaceful possession till the disposal of the proceedings in ASCFR.No.16004 of 2024 pending on the file of Principal District Court, Coimbatore. This writ petition came to the allowed by an order of this Court dated 15.11.2024.

2. The said Devasthanam had also filed W.P.No.36782 of 2024 seeking to issue a writ of mandamus directing the respondents 1 to 4 to evict the respondents 6 to 8 (of which, 7th respondent is the said Patteswaran, petitioner in W.P.No.33215 of 2024) from the lands which is the subject matter of the order in OP.No.214/20214 passed by the Revenue



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Court / Special Deputy Collector, Tiruchirapalli, the fifth respondent therein. This writ petition came to be allowed by the orders of this Court dated 09.12.2024.

3. Now, the Devasthanam had filed the above WMP.No.22248 of 2025, seeking to recall the order dated 15.11.2024 in W.P.No.33215 of 2024.

4.1 The first respondent (Patteeswaran) in this WMP.No.22248 of 2025 would contend that his grandfather was a cultivating tenant under the petitioner-Devasthanam and he was registered as a cultivating tenant. On the death of his grandfather, the first respondent's father had entered possession of the suit property, on whose demise, the first respondent, his mother and his brother continued their possession as cultivating tenants. While so, the Devasthanam had initiated proceedings in O.P.No.214/2014 against the first respondent before the Special Deputy Collector (Revenue), Tiruchirappalli, to evict him from the petition premises. The learned Special Deputy Collector (Revenue), had mechanically allowed the said O.P., on 29.01.2024 and granted seven days time to the first respondent

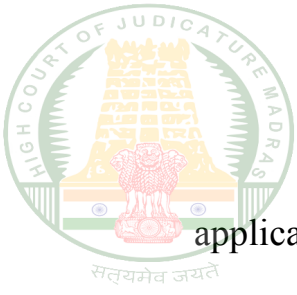


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herein to vacate the premises and hand over vacant possession to the
Devasthanam.

4.2 Against the said order dated 29.01.2024, the first respondent herein (Pattaswaran) had filed a appeal before the District Revenue Officer, Coimbatore on 09.02.2024, within ten days of the orders being passed by the Special Deputy Collector (Revenue), Tiruchirapalli. Ultimately, by order dated 24.06.2024, the District Revenue Officer, the third respondent herein had dismissed the appeal stating that he has no jurisdiction to entertain the appeal presented before him directly, and had directed the first respondent to approach the concerned District Court under Section 22 of the Tamil Nadu Public Trusts (Regulation of Administration of Agricultural Lands) Act, 1961, stating that it is only that an appeal/revision would lie before concerned Court.

4.3 Thereafter, the first respondent in WMP No.22248 of 2025 /petitioner in W.P.No.33215 of 2024 had filed a revision in A.S.C.FR No.16004 of 2024 before the Principal District Judge, Coimbatore along with an application to condone the delay in I.A.No.1/2024. The said



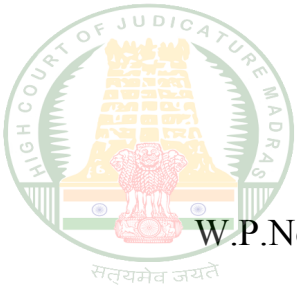
WMP.No.22248 of 2025 in W.P.No.33215 of 2024,
and W.P.No.36782 of 2024

application was not taken up for enquiry and same is pending adjudication

before the Principal District Judge, Coimbatore. In the said circumstances, the temple and the authorities concerned tried to evict the first respondent herein from the property. Hence, the first respondent had moved this Court by filing the aforesaid writ petition in W.P.No.33215 of 2024, stating that till the disposal of the proceedings in A.S.C.FR No.16004 of 2024, the respondents should be restrained from taking possession. By order dated 15.11.2024, this Court was pleased to allow the writ petition.

5. The Devasthanam has now filed the recall petition in WMP.No.22248 of 2025 on the ground that the orders in W.P.No.33215 of 2024, have been passed behind its back. They would state that the orders of this Court dated 15.11.2024, was known to them only through the Tahsildar's office.

6. A perusal of the affidavit filed in support of W.P.No.36782 of 2024 filed by the petitioner-Devasthanam does not make any reference to the revision or the appeal filed by the first respondent, the petitioner in



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W.P.No.33215 of 2024. Be that as it may, this Court in its order dated

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15.11.2024 in W.P.No.33215 of 2024 had directed the respondents therein not to disturb the possession of the petitioner, who is a cultivating tenant under the temple, till the petition for condoning the delay in A.S.C.FR.No.16004 of 2024 was disposed of and had also directed that the condone delay petition to be disposed of within a period of two months from the date of production of the order copy. However, in the writ petition filed by the Devasthanam in W.P.No.36782 of 2024, by order dated 09.12.2024, this Court had directed the respondents 1 to 4 to consider the representation of the petitioner-Temple dated 10.10.2024 and to take steps to evict the respondents 6 to 8 therein, within a time frame of two months from the date of receipt of a copy of the order. These contradictory orders have come to be passed only on account of the fact that the order in W.P.No.33215 of 2024 was not brought to the notice of the Court.

7. After hearing both parties, this Court is disposing of the recall petition in WMP.No.22248 of 2025, with the observation that the order passed by this Court in W.P.No.36782 of 2024 on 09.12.2024 shall be kept



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in abeyance till the condone delay petition in A.S.C.FR.No.16004 of 2024

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on the file Principal District Judge, Coimbatore, is disposed of. The learned Principal District Judge, Coimbatore, without being influenced by the observation made by this Court in W.P.No.33215 of 2024 or the order now passed, shall dispose of the application by 12.06.2025, considering the fact that the revision has been filed as early as in the month of July 2024 and the counter has already been filed by the petitioner herein.

09.06.2025

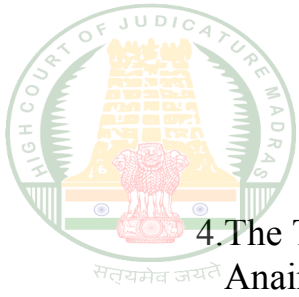
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Note to Registry:

1. Issue order copy on 10.06.2025
2. Considering the paucity of time, the Registry is directed to forward a copy of this order to the learned Principal District Judge, Coimbatore, either by email or fax or any other electronic mode.

To:

- 1.The District Collector
Coimbatore District
Coimbatore - 641 018.
- 2.The District Revenue Officer
Coimbatore District
Coimbatore - 641 108.
- 3.The Special Deputy Collector (Revenue)
Tiruchirapalli District, Tiruchirapalli - 620 001.



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4.The Tahsildar
Anaimalai Post and Taluk
Coimbatore District - 642 104.

5.The Zonal Deputy Tahsildar
Annamalai Taluk
Coimbatore District.

6.The Principal District Judge
Coimbatore.



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P.T.ASHA.J.,

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and
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09.06.2025