



W.A.No.1582 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 04.06.2025

CORAM :

THE HON'BLE MRS.JUSTICE J.NISHA BANU
AND
THE HON'BLE MR.JUSTICE M.JOTHIRAMAN

W.A.No.1582 of 2025

Mr.S.Ravi .. Appellant

v.

The Commissioner
Hindu Religious and Charitable
Endowments Department
Mahatma Gandhi Road
Nungambakkam
Chennai 600 034

.. Respondent

Memorandum of Grounds of Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 24.04.2025 passed in W.P.No.14730 of 2025.

For Appellant :: Mr.S.R.Rajagopal
Senior Counsel for
Mr.L.Murali Krishnan

For Respondent :: Mr.N.R.Arun Natarajan
Special Government Pleader



W.A.No.1582 of 2025

JUDGMENT

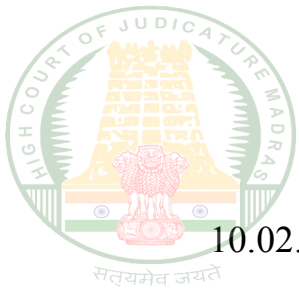
(Judgment of the Court was made by J.NISHA BANU,J.)

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This writ appeal is directed against the order dated 24.04.2025 passed by the learned single Judge in W.P.No.14730 of 2025.

2. Heard both sides.

3. The claim of the appellant is that the subject property was originally owned and possessed by one Thathu Gurusamy, who is an individual. Patta was issued in his favour for the entire property under Patta No.66 and mutation was also made in all the revenue records. After his death, the legal heirs of the said Thathu Gurusamy were in absolute possession and enjoyment of the property. Thereafter, the appellant and his brother Mr.Sakthivel got the said property and they have been in absolute possession and enjoyment. It is further claimed that patta was issued in their favour. However, when the appellant decided to sell a portion of the property, the same was not registered on the ground that an objection was raised by the jurisdictional Executive Officer vide the communication dated

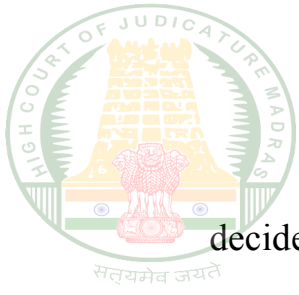


W.A.No.1582 of 2025

WEB COPY

10.02.2022. Aggrieved by the same, one of the legal heirs has filed a suit in O.S.No.666 of 2022 before the District Court at Tiruvallur and the same is pending. Thereafter, the appellant came to know that an order has been issued by the respondent herein in his proceedings dated 16.12.2021 attaching the subject property to be administered by the Executive Officer of Arulmigu Bhavani Amman Temple, Periyapalayam. Therefore, the appellant made a representation dated 19.11.2024 before the respondent to recall the order dated 16.12.2021. Since the said representation was not considered, the appellant filed the writ petition and the learned single Judge has disposed of the writ petition granting liberty to the appellant either to get himself impleaded in the pending civil suit or to file a separate suit to assert his title.

4. It is not in dispute that one of the legal heirs has already approached the civil Court claiming title in respect of the subject property, in which the respondent Department has also filed a written statement. Therefore, at this stage, it is not necessary for the respondent to consider the representation of the appellant. Since the issue regarding title has to be



W.A.No.1582 of 2025

decided only by the civil Court based on the documents and evidence let in by the parties, we are not inclined to interfere with the order passed by the learned single Judge. Accordingly, the writ appeal stands dismissed. No costs.

Index : yes/no
Neutral citation : yes/no

(J.N.B.,J.) (M.J.R.,J.)
04.06.2025

ss

To

1. The Commissioner
Hindu Religious and Charitable
Endowments Department
Mahatma Gandhi Road
Nungambakkam
Chennai 600 034



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W.A.No.1582 of 2025

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W.A.No.1582 of 2025

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