



WEB COPY

W.A.No.2602 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2025

CORAM
THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE K.RAJASEKAR

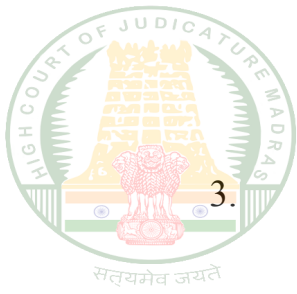
W.A.No.2602 of 2024
and
C.M.P.No.18635 of 2024

1. R.Govindaraji
2. T.Parasuraman
3. A.Manikandan
4. K.Gurunathan
5. E.Kanniappan
6. K.Kamalapadham

... Appellants/Petitioners

Vs.

1. The Collector,
Villupuram District,
Collector Office Road,
Moovendar Nagar,
Villupuram, Tamil Nadu - 605 602.
2. The Executive Director,
Directorate of Municipal Administration,
75, Urban Administrative Building,
Santhome High Road, MRC Nagar,
Raja Annamalaipuram,
Chennai - 600 028.



WEB COPY

W.A.No.2602 of 2



3. The Regional Director,
Municipal Administration,
Vellore Region,
50, M.P.Sarathy Nagar,
Kagithapatarai, Vellore,
Tamil Nadu - 632 012.

4. The Commissioner,
Kottakuppam Municipality,
Kottakuppam,
97, Mahatma Gandhi Road,
Solai Nagar, Kottakuppam,
Tamil Nadu - 605 104.

... Respondents/Respondents

Prayer: Writ appeal filed under Clause 15 of the Letters Patent Act, to set aside the order dated 16.07.2024 in W.P.No.16282 of 2024.

For Appellants : Mr.R.Udhayakumar

For Respondents : Mr.P.Muthukumar
Additional Advocate General
assisted by
Mr.T.K.Saravanan
Additional Government Pleader
[For R1 to R4]



WEB COPY

W.A.No.2602 of 2024



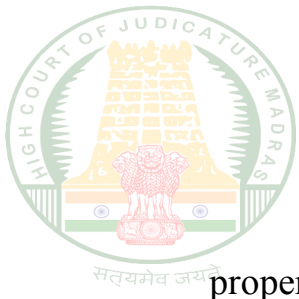
JUDGMENT

(Order of the Court was made by **S.M.SUBRAMANIAM, J.**)

The writ appeal on hand has been instituted to assail the order dated 16.07.2024 in W.P.No.16282 of 2024.

2. The writ prayer is to direct the respondents to consider the representation submitted by the appellants dated 28.05.2024.

3. The appellants claim that the subject property morefully described in the representation vest with the temple viz., A/m.Shree Muthumariamman Koil and the temple continued to be administered by the villagers and not under the control of the HR & CE Department. However, the appellants claim that the subject property belongs to the temple. Such disputes of civil nature cannot be adjudicated neither by the Municipal Authorities nor by the High Court in exercise of powers of judicial review under Article 226 of the Constitution of India. Property disputes relating to title are to be adjudicated before the competent Civil Court.



W.A.No.2602 of 2



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4. The learned Single Judge made an observation that the subject property was handed over to the Local Authority, 44 years back and now the appellants cannot turn around and claim right over the property. As per the records, the over head water tank has been constructed several decades ago. Therefore, at this length of time, the claim of the appellants cannot be considered by the writ court.

5. The reasoning stated by the writ court is candid and the appellants have not established even a semblance of legal right for the purpose of considering the relief as such sought for in the writ appeal.

6. Mere direction to consider the representation would do no service to the cause of justice. Therefore, the writ court has rightly considered the merits and rejected the writ petition.

Accordingly, the Writ Appeal stands **dismissed**. No costs. Connected Miscellaneous Petitions, if any are closed.

[S.M.S,J.] [K.R.S,J.]

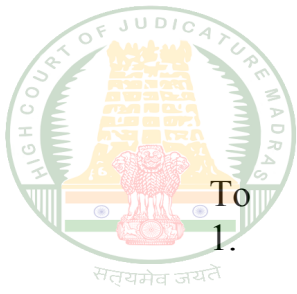
18.02.2025

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Index:Yes/No

Speaking order/Non-speaking order

Neutral Citation:Yes/No



WEB COPY

W.A.No.2602 of 2022



To
1.

The Collector,
Villupuram District,
Collector Office Road,
Moovendar Nagar,
Villupuram, Tamil Nadu - 605 602.

2.

The Executive Director,
Directorate of Municipal Administration,
75, Urban Administrative Building,
Santhome High Road, MRC Nagar,
Raja Annamalaipuram,
Chennai - 600 028.

3.

The Regional Director,
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Vellore Region,
50, M.P.Sarathy Nagar,
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4.

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WEB COPY



W.A.No.2602 of 2

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AND
K.RAJASEKAR,J.

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