



WEB COPY



WP.No.32 of 2025

In the High Court of Judicature at Madras

Dated : 09.1.2025

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.32 of 2025

Parameshwaran

Vs

...Petitioner

1.The District Collector, Salem.

2.The District Revenue Officer,
Salem.

3.The Revenue Divisional Officer,
Salem.

4.The Assistant Commissioner,
HR & CE Department,
Kottai Mariamman Koil
Campus, Old Bus Stand,
Salem.

5.The Tahsildar, Salem West,
Salem.

6.Nadesa Gounder

7.Paneer Selvam

8.Vijaya Kumar

9.Rajendran

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the second respondent to consider the representation of the petitioner dated 16.2.2024 and to dispose of the appeal pending on the file of the



WP.No.32 of 2025

second respondent for restoring TSLR/patta in old survey Nos.26/3B and 26/3A1 and new survey Nos.69/2 and 69/3 at Narasothipatti Village in the name of the temple trustees, which is wrongly mutated in the names of respondents 6 to 9.

For Petitioner : Mr.T.Saikrishnan
For R1 to R3 & R5: Mr.R.P.Murugan Raja, GA

ORDER

The above writ petition has been filed seeking a Mandamus to direct the second respondent to dispose of the petitioner's appeal dated 16.2.2024 pending on the file of the second respondent for restoring Town Survey Land Register/patta in old survey Nos.26/3B and 26/3A1 and new survey Nos.69/2 and 69/3 at Narasothipatti Village in the name of the temple trustees, which is wrongly mutated in the names of respondents 6 to 9.

2. Heard the learned counsel for the petitioner and the learned Government Advocate accepting notice for respondents 1 to 3 and 5.

3. The case of the petitioner is that the patta originally stood in the name of a trust by name Salem Narasothipatti Maniyakara Vagayara Pangaligal Periyandichi Amman Vedanaar Patchiyamman



WP.No.32 of 2025

Koil, Mahakaaliyamman Koil, Pillayaar, Kaavadi Pazhaniyaandavar Veedu Thiruppani Arakkattalai. The said trust was formed by the elders of the society for worshipping and conducting festivals for public purposes. The temple is now under the control of the Hindu Religious and Charitable Endowment Department. The Periyandichi Amman Temple is a 150 year old temple and has its own lands measuring 7,775.5 sq.ft in S.Nos.26/3A part, 26/3B part and 26/3A1 part in the aforesaid village. Patta was also issued in the names of its trustees.

(ii) While so, respondents 6 to 9 created a family settlement among themselves. On the basis of this family settlement, they managed to obtain subdivision of the said survey numbers and got the town survey land register/patta issued in their names. Immediately, the petitioner along with others made a representation to restore the town survey land register/patta in the names of the earlier owners namely the trustees of the temple. This request has been turned down by the third respondent by proceedings dated 24.5.2023. As against it, the petitioner and others filed an appeal before the second respondent on 16.2.2024. Though the said appeal was received by the second respondent, no further steps have been taken. Thus aggrieved, the petitioner is before this Court.



WP.No.32 of 2025

4. This Court has carefully considered the submissions of the learned counsel on either side and perused the materials available on record.

5. The only grievance of the petitioner is that the appeal dated 16.2.2024 has not yet been taken up for consideration.

6. Considering the limited nature of the relief sought, the writ petition is allowed and a Mandamus is issued to the second respondent to consider the appeal dated 16.2.2024 sent by the petitioner along with others on merits and pass appropriate orders in accordance with law within a period of two months from the date of receipt of a copy of this order. No costs.

09.1.2025

To

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Salem.
- 3.The Revenue Divisional Officer,
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WP.No.32 of 2025

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WP.No.32 of 2025

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