



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-12-2025

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

WP No. 48988 of 2025

Arulmigu Nageswari Amman Thirukoil,
Represented By Its Executive Officer V. Ramesh
Having Office At The Temple Premises,
Chindadripet, Chennai 600 002

..Petitioner(s)

Vs

1. The Revenue Divisional Officer, Chennai
South, Little Mount, Kotturpuram,
Chennai 600 032

2. The Tahsildar,
Mylapore Taluk, Greenways Road,
Raja Annamalaipuram, Chennai 28

..Respondent(s)

Directing the 1st Respondent to consider the Representation dated 04.12.2024 pending on the file of the 1st respondent on merits within the time frame fixed by this Court.

For Petitioner(s): MR.S.VIJAYAGANESH

For Respondent(s): MR.D.RAVICHANDER,
SGP FOR RESPONDENT



ORDER

This writ petition has been filed to direct the first respondent to consider the petitioner's representation dated 04.12.2024 seeking for cancellation of patta issued in favour of individuals for the property morefully described in the affidavit filed in support of this writ petition.

2. According to the petitioner, the said property is owned by the petitioner temple and they continued to be in possession of the same. Their case is that illegally, based on fraudulent documents, pattas have been issued by the respondents in favour of individuals for the subject property, which is owned by the petitioner temple.

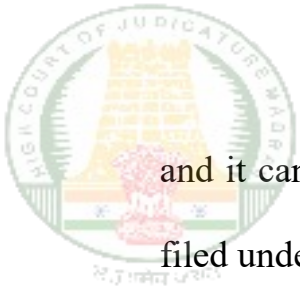
3. However, as seen from the documents questioned by the petitioner, the said documents are registered documents executed in favour of individuals right from the year 1995 onwards, namely, Document No.1131/1995, Document No.142/2007, and Document No.45/2024. According to the petitioner, the aforesaid documents are fraudulent documents. However, as seen from the affidavit filed in support of this writ petition, the petitioner temple has given a representation to the first respondent challenging the aforesaid documents only on 15.09.2020. Since the said representation of the petitioner temple has not been considered till date, the petitioner has filed this writ petition.



4. Mr.D.Ravichander, learned Special Government Pleader, accepts notice on behalf of the respondents.

5. Admittedly, the property, which the petitioner temple claims is owned by them, has been conveyed to individuals through registered documents as stated supra from 1995 onwards. Having not taken action against the individuals in whose favour registered documents were executed, the question of entertaining this writ petition under Article 226 of the Constitution of India at this belated stage, that too, when the said individuals have not been arrayed as party respondents in this writ petition, does not arise.

6. Eventhough there is no limitation period prescribed for a temple to recover possession or seek for declaration of its title over the property, in a writ petition, the claim of the petitioner temple cannot be adjudicated upon by this Court, since there are disputed questions of fact involved. Further, the petitioner temple had remained silent and had not taken any action against the individuals, who have been issued with pattas and have title deeds in their favour through registered documents at the earliest point of time in the year 1995 itself. Though the petitioner claims that all the registered documents were fraudulently executed in favour of individuals without the knowledge of the petitioner temple, the said contention requires oral and documentary evidence



and it can be proved only through a civil Court and not through a writ petition filed under Article 226 of the Constitution of India.

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7. For the foregoing reasons, the request of the petitioner temple cannot be adjudicated by this Court in a writ petition. It can be agitated by the petitioner temple only before the Civil Court by letting in oral and documentary evidence to substantiate their case. Accordingly, this writ petition is disposed of by granting liberty to the petitioner temple to agitate their rights by filing a civil suit insofar as the properties disclosed in the affidavit filed in support of this writ petition. No Costs.

18-12-2025

Neutral Citation: Yes/No

RKM



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To

1. The Revenue Divisional Officer, Chennai
South, Little Mount, Kotturpuram, Chennai 600
032
2. The Tahsildar, Mylapore Taluk, Greenways
Road, Raja Annamalaipuram, Chennai 28



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ABDUL QUDDHOSE, J.

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