



W.P.No.30543 of 2018

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:04.09.2025

C O R A M

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.30543 of 2018
and W.M.P.Nos.35625, 35628 & 35630 of 2018

G.Kesavan

... Petitioner

Vs

1.The Additional Chief Secretary,
Commissioner of Land Administration,
Ezhilagam, Chepauk,
Chennai-600 005.

2.The District Revenue Officer,
Vellore.

3.The Tasildar,
Anaicut Taluk, Vellore District.

4.The Execution Officer,
Arulmigu Ellaiamman Thirukoil,
Vettuvanam, Anaicut Taluk,
Vellore District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari calling for the records relating to the order dated 2.1.2018 in K3/11591/2017 of the 1st Respondent herein confirming the order dated 25.10.2013 in Pa.Mu.D3.43933/2011 of the 2nd Respondent herein and quash the same.



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For Petitioner : Mr.D.Saikumar
For Respondents : Mr.T.M.Rajangam,
Government Advocate for RR-1 to R-3
: Mr.A.V.Arun for R-4

ORDER

Aggrieved by the order passed by the first respondent confirming the order rejecting the request for cancellation of patta, the present Writ Petition has been filed.

2. The case of the petitioner is that the subject lands are owned by him by way of hereditary and through purchase from the share holders. He has requested to cancel the patta issued in the names of individuals during Updating Registry Scheme and to issue patta in the name of Ellaiaimman Koil, Vettuvanam. The grievance of the petitioner is that the first respondent dismissed the appeal stating that the temple did not have any document to show that the temple is the owner of the property, which is incorrect, as the lands are inam lands prior to the introduction of the Tamil Nadu Minor Inams Act, 1963 and Settlement Tahsildar has granted patta.



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3. Learned counsel for the petitioner submits that the temple has not been impleaded as a party in O.S.No.555 of 1999 filed by the villagers of vettuvanam before the District Munisf Court, Vellore seeking declaration of title and for permanent injunction. Hence, the impugned order be set aside and direction be given to the concerned authorities to look into the issue afresh after conducting enquiry.

4. Per contra, learned counsel for the respondents submit that the issue involved in this Writ Petition pertains to title to the property, the petitioner may approach the Civil Court for appropriate relief and the relief sought for by the petitioner cannot be granted in a writ proceedings.

5. Heard the learned counsel appearing on either side and perused the materials placed before me.

6. It is seen that admittedly the subject lands are minor inam lands. After the enactment of Tamil Nadu Minor Inams Abolition Act, nobody has filed any petition seeking patta for the lands in question. After enquiry it came to know that the lands were given as inam for the use as charity tope and the income



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derived therefrom will be utilized for the chatram attached to the inam land.

However, as of today admittedly there are no trees in the said land and no travellers use the land as a halting place now.

7. Further, the District Revenue Officer has also rendered a finding that the temple authority has not produced any records to prove that the land is owned by the temple.

8. In light of the above, the petitioner is granted liberty to approach the Civil Court, if he has records to prove that the lands belong to the temple. With this liberty, this Writ Petition stands disposed. No costs. Consequently, connected Miscellaneous Petitions are closed.

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Index : Yes / No

Speaking Order / Non-speaking order

Neutral Citation Case : Yes / No

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