



W.P.(MD) No.415 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.01.2025

CORAM

THE HON'BLE MRS. JUSTICE N.MALA

W.P.(MD) No.415 of 2025

A.Madhavan

... Petitioner

Vs.

1.The Sub Collector,
Devakottai,
Sivagangai District.

2.The Tahsildar,
Thiruppathur Taluk,
Sivagangai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of a Writ of Mandamus directing the first respondent to dispose of the appeal in ந.க.அ1/7597/2024 dated 14.10.2024 filed against the issuance of patta in respect of the properties in Survey Nos.257/7 and 257/8, Thirukostiyur Group and Village, Thiruppathur Taluk, Devakottai Sub Division, Sivagangai District as expeditiously as possible preferably within the time stipulation as fixed by this Court.

For Petitioner : Mr.R.Anand

For Respondents : Mr.A.Kannan
Additional Government Pleader



W.P.(MD) No.415 of 2025

WEB COPY

ORDER

This Writ Petition has been filed seeking for the issuance of a Writ of Mandamus directing the first respondent to dispose of the appeal in ந.க.அ1/7597/2024 dated 14.10.2024, filed against the issuance of patta for the properties in Survey Nos.257/7 and 257/8, measuring 0.076 and 0.084 Hectares, situated at Thirukostiyur Group and Village, Thiruppathur Taluk, Devakottai Sub-Division, Sivagangai District, as expeditiously as possible, preferably within the time stipulated by this Court.

2. The subject properties belonged to the Sivagangai Samasthanam. They were gifted to Arulmigu Sowmiya Narayana Perumal Thirukovil at Thirukostiyur for the purpose of 'Kosalai' (புகுமட்டம்). The temple was in possession and enjoyment of the properties, using them as 'Kosalai' (புகுமட்டம்) for performing poojas. However, some individuals, with an intention to grab the said properties, managed to enter the above Survey Numbers, along with the Survey Numbers of their own properties in the revenue records, and obtained pattas *vide* Patta Nos.495, 496, 497, 498 and 752.



W.P.(MD) No.415 of 2025

3. Therefore, a devotee of the said temple lodged a complaint to the authorities of the Sivagangai Samasthanam, for taking action against them. However, the same was not considered by the Sivagangai Samasthanam for reasons best known to it. The said individuals, from time to time, created records in the names of their family members, one after another, with a view to protect their illegal occupation of the said properties.

4. The petitioner, therefore, preferred an appeal under Section 12 of the Patta Passbook Act on 14.10.2024, to the first respondent, challenging the pattas issued in favour of the said persons for the said properties. The first respondent issued notice to the pattadhars and also directed the petitioner to appear on 12.12.2024, for enquiry. The petitioner appeared with the documents on the said date before the first respondent. After the petitioner's appearance, the first respondent simply adjourned the appeal to 23.12.2024. On that day, the first respondent again adjourned the appeal to 25.03.2025. According to the petitioner, as the said illegal pattadhars were attempting to further encumber the subject properties, the petitioner was constrained to file the above Writ Petition for the aforesaid relief.



W.P.(MD) No.415 of 2025

WEB COPY 5. Admittedly, the petitioner filed the appeal on 14.10.2024, and notice of hearing was issued. The petitioner was also directed to appear on 12.12.2024. Even though the petitioner appeared with all necessary documents on 12.12.2024, the first respondent adjourned the appeal to 23.12.2024. On 23.12.2024, the first respondent further adjourned the appeal by another three months, i.e., to 25.03.2025, without assigning any reasons. I am, therefore, inclined to issue a direction to the first respondent to dispose of the petitioner's appeal dated 14.10.2024 on merits and in accordance with law, within the timeline specified by the Commissioner of Land Administration in the Circular dated 17.07.2023, bearing Na.Ka.No.R1/2005632/2022.

6. With the above observations, this Writ Petition is disposed of.

No costs.

08.01.2025

Index: Yes/ No

Neutral Citation: Yes / No

Speaking Order / Non-Speaking Order

JEN



W.P.(MD) No.415 of 2025

Copy To:

- 1.The Sub Collector,
Devakottai,
Sivagangai District.
- 2.The Tahsildar,
Thiruppathur Taluk,
Sivagangai District.



WEB COPY



W.P.(MD) No.415 of 2025

N.MALA, J.

JEN

W.P.(MD) No.415 of 2025

08.01.2025