



W.A.(MD)No.1424 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 11.06.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

W.A.(MD)No.1424 of 2025

Arulmigu Bothanayagi Amman Temple,
Rep. by T.Jayalakshmi,
The Executive Officer,
Thuvarankurichi,
Marungapuri Taluk,
Trichy District.

... Appellant

Vs.

1.Synammal

2.The District Revenue Officer - Cum -
Additional District Magistrate,
Trichy.

... Respondents

Prayer : Writ Appeal filed under Clause XV of Letters Patent, to allow the writ appeal by setting aside the order passed in W.P.(MD)No.11520 of 2021 dated 02.08.2024 on the file of this Court.



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For Appellant : Mr.G.Mathavan

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For Respondents : Mr.Raguvaran Gopalan,
For Mr.K.Prabhakar for R1.
Mr.A.Kannan,
Addl. Government Pleader for R2.

JUDGMENT

Heard both sides.

2.This writ appeal is directed against the order dated 02.08.2024 allowing W.P.(MD)No.11520 of 2021 filed by the first respondent herein.

3.The case on hand pertains to the land comprised in S.No.201/2, Ponampatti Village. The first respondent herein felt aggrieved by the entry of the name of the appellant / temple in the revenue record as per UDR. The District Revenue Officer vide order dated 28.04.2021 came to the conclusion that since the writ petitioner / first respondent herein did not appear to be in possession of the property, patta cannot be issued in favour of her. The learned Single Judge set aside the said order and allowed the writ petition and directed issuance of patta in favour of the writ petitioner.



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4.The question that calls for consideration is whether the order of the learned Single Judge warrants interference.

5.There is no dispute that the petition mentioned property originally belonged to the appellant / temple. Some time in the year 1929, the then Dharmakarta of the temple had sold the property in favour of Naina Mohammed Rowther. Following the introduction of Inam Abolition Law, claim was laid before the Settlement Tahsildar by the predecessor in title of the writ petitioner herein. The Settlement Tahsildar negated the said request. Aggrieved by the same, the predecessor in title of the writ petitioner filed C.M.A.No.101 of 1968 on the file of the Sub Court (Minor Inam Abolition Tribunal), Tiruchy. The Inam Abolition Tribunal allowed the CMA and set aside the order of the Settlement Tahsildar on condition that the appellant therein (Sheik Mohammed Rowther) should pay quit-rent at the rate of 20 times of the kist value under Section 8(2)(i)(b) of Tamil Nadu Act No.30 of 1963. It is not in dispute that this order passed by the Inam Abolition Tribunal had attained finality. In any event, there is nothing on record to show



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that the appellant / temple filed any STA against the said order. The appellant / temple does not appear to have filed any civil suit seeking declaration of title in its favour. In these circumstances, the District Revenue Officer ought to have gone by the Inam Abolition Tribunal's order and he could not have taken any independent decision. This proposition stands settled by the decision of the Madras High Court reported in **1996 (I) CTC 217 (Palaniappa Pandaram Vs. The Special Commissioner and Commissioner Land Administration)**. The learned Single Judge merely applied the aforesaid decision in favour of the writ petitioner and allowed the writ petition.

6.The learned counsel for the appellant would contend that even though the Inam Abolition Tribunal directed the appellant therein to pay quit-rent, there is nothing on record to show that the quit-rent was paid. Admittedly, the writ petitioner was not able to produce any receipt.

7.This aspect of the matter need not detain us. When “A” register reflects the name of the writ petitioner's predecessor in title, the name of the appellant / temple could not have been entered during UDR.



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8.The approach adopted by the learned Single Judge does not warrant interference. We make it clear that we have not gone into the issue of possession. The writ appeal is dismissed. No costs.

(G.R.S. J.) & (K.R.S. J.)
11.06.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:

The District Revenue Officer - Cum -
Additional District Magistrate,
Trichy.



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