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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.06.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.10685 of 2024

and

W.M.P(MD)Nos. 9561 & 9562 of 2024

1. Ganesan

2. Senthil Kumar

... Petitioners

vs.

1. The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Dindigul District.

2. The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Dindigul District.

3. The District Registrar,
Registration Department,
Palani, Dindigul District.

4. The Sub Registrar,
Ottanchatiram Taluk,
Dindigul District.



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5. The District Revenue Officer,
Ottanchatiram Taluk,
Dindigul District.

...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 3, 4 to provide guideline value in the records of the registration department for the property comprised in Survey No.249 Kalanjipatti Village, Ottanchatiram Taluk, Dindigul District on the basis of the order dated 08.09.1967 in proceedings S24/M.I Act/234/1967.

For Petitioners : Mr.R.G.Sankar Ganesh

For Respondents : Mr.S.S.Madhavan,
Additional Government Pleader, for R-1 & R-2

Mr.S.Saji Bino,
Special Government Pleader for R-3 to R-5

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Mandamus, directing the respondents 3, 4 to provide guideline value in the records of the registration department for the property comprised in Survey



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No.249 Kalanjipatti Village, Ottanchatiram Taluk, Dindigul District on the basis of the order dated 08.09.1967.

2. The contention of the petitioners is that they could not deal with the property because the registration authorities had changed the guideline value to “Zero” value. The respondents submitted if the property belongs to government, temple or WAKF land or water body, then the value of the property would be “Zero”.

3. The Learned counsel appearing for the petitioners submitted that the land was classified as Inam panchayat prior to 08.09.1967. Thereafter, an order was passed by the Settlement Tahsildar, wherein the person who was in occupation of the land, at the time of proceedings before Settlement Tahsildar, was directed to pay consideration to the said land. Based on the said proceedings and on such payment, Patta was issued to the said occupants. Infact the petitioner had sold the property to the subsequent purchaser and the same was registered in



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the 2021 and the respondents have valued the property as per the government guideline value. But subsequently the respondent have withdrawn the said guideline based on the objections from the 1st and 2nd respondents.

4. The respondents 1 & 2 have claimed the land belongs to a temple. And they have submitted objection based on the direction issued by the Hon'ble Division Bench of this Court vide order dated 07.06.2021 passed in W.P. (MD)Nos.574 of 2016 , 24178 of 2018, wherein it was directed that the temple authorities ought to take steps to retrieve the temple land. Based on the said direction and observation, the respondents 1 & 2 have submitted an objection.

5. On perusing the records, it is seen that the Settlement Tahsildar in his proceedings had stated that the occupant of the land is entitled to patta based on the consideration paid by the occupants. Thereafter, the land was changed from Inam Panchayat to Ryot Panchayat. In fact the respondent had issued guideline value when the petitioner had sold the property. But based on above objection



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suddenly the registration department had changed the guideline value to 'Zero' value.

6. When the Settlement Tahsildar proceedings are against the temple, then the respondents 1 & 2 ought to have preferred appeal, which would be belated appeal. Or else the respondents ought to approached the Civil Court to prove their rights over the property. As on date no suit or appeal were preferred by the temple.

7. In such circumstances, the petitioner's prayer to reverse the 'Zero' value to guideline value ought to be granted. Therefore, the 3rd respondent is directed to fix guideline value to the property is question. The said exercise shall be completed within a period of four weeks from the date of receipt of a copy of the order.



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8. However, the 1st and 2nd respondents are at liberty to file a suit challenging the settlement Tahsildar order, if aggrieved and if so advised.

9. With these observations, this Writ petition is Allowed. No Costs.
Consequently, connected miscellaneous petitions are closed.

26.06.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
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S.SRIMATHY, J.

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**ORDER MADE IN
W.P(MD)No.10685 of 2024**

DATED :26.06.2025