



W.P.(MD)No.12567 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 29.04.2025

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THE HONOURABLE MR.JUSTICE P.B.BALAJI

**W.P.(MD)No.12567 of 2025**  
**and**  
**W.M.P.(MD)No.9133 of 2025**

A.Shanmugam Pillai

... Petitioner

Vs.

1.The District Collector,  
District Collectorate,  
Kanyakumari District.

2.The Tahsildar,  
Thovalai Taluk,  
Kanyakumari District.

3.The Assistant Commissioner,  
Hindu Religious and Charitable Endowments,  
Suseendiram,  
Kanyakumari District.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to transfer the patta in petitioner's name and in his wife's name Sivagami, for the land in S.No. 72/14, to an extent of 55 cents, situated at Chenbagaramanputhoor, Thovalai (TK), Kanniyakumari District, based on the petitioner's sale deed dated 24.05.1993, bearing Doc.No.487 of 1993, in connection to proceedings of the



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second respondent in Na.Ka.No. 253/2907/2024, dated 19.11.2024 pending on the file of the second respondent within a reasonable time.

For Petitioner : Mr.K.Kharikharadas  
For R-1 and R-2 : Mr.S.Kameswaran  
Government Advocate  
For R-3 : Mr.R.Shankar Ganesh

### **ORDER**

The petitioner seeks issuance of writ of mandamus seeking transfer of patta in the name of the petitioner and his wife based on a sale deed, dated 24.05.1993.

2. Heard the learned counsel for the parties.

3. I find from the typedset of papers filed by the petitioner that patta has already been mutated in the name of the 3<sup>rd</sup> respondent Temple.

4. The learned counsel for the 3<sup>rd</sup> respondent would submit that the 3<sup>rd</sup> respondent has been wrongly described and it should be Joint Commissioner, Hindu Religious and Charitable Endowments Department instead of Assistant



Commissioner.



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5. Be that as it may, when admittedly patta has already been mutated in the name of the Temple, the remedy available to the petitioner and his wife is only to approach the Revenue Divisional Officer, Nagercoil and not seek direction by way of issuance of writ of mandamus to the Tahsildar.

6. In the light of the above, this writ petition is disposed of, giving liberty to the petitioner to make a proper application before the Revenue Divisional Officer, Nagercoil. If such an application is being made by the petitioner within a period of four (4) weeks from the date of receipt of copy of this order, the Revenue Divisional Officer, Nagercoil is directed to entertain the same and conduct enquiry after affording a fair and reasonable opportunity to the petitioner as well as 3<sup>rd</sup> respondent, i.e., Joint Commissioner/Executive Officer, Sivakami Amman Temple and thereafter pass orders, on merits and in accordance with law, within a period of sixteen (16) weeks from the date of application being filed by the petitioner.



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**WEB COPY** 7. With the above directions, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

**29.04.2025**

NCC:yes/no  
Index:yes/no  
Internet:yes/no  
gbg

**To:**

- 1.The District Collector,  
District Collectorate,  
Kanyakumari District.
- 2.The Tahsildar,  
Thovalai Taluk,  
Kanyakumari District.
- 3.The Assistant Commissioner,  
Hindu Religious and Charitable Endowments,  
Suseendiram,  
Kanyakumari District.
- 4.The Revenue Divisional Officer,  
Nagercoil.
- 5.The Joint Commissioner/Executive Officer,  
Sivakami Amman Temple,  
Hindu Religious and Charitable Endowments,  
Suseendiram,  
Kanyakumari District.

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**P.B.BALAJI, J.**

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