



W.P.(MD) No.14363 of 2025

BEFORE THE MADURAI BENGH OF MADRAS HIGH COURT

DATED: 26.06.2025

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P.(MD) No.14363 of 2025

and

W.M.P.(MD)No.14363 of 2025

A.Utchimakali

... Petitioner

Vs

1. The Special Deputy Collector/
Revenue Court, Tirunelveli,
Tirunelveli District.

2. The Executive Officer,
Arulmigu Sathayavageeswarar Thirukovil,
Kalakkaadu,
Naanguneri Taluk,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the Respondent No. 1 to dispose the appeal filed by the petitioner dated 06.05.2025 and consequently directing the Respondents not to take any coercive steps against the Petitioner in respect of land in Survey No.685 in an extent of 40 cents situated at Kalakkaadu Village, Naanguneri Taluk, Tirunelveli District till the disposal of pending appeal.



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For Petitioner : Mr.T.Thirumurugan
For Respondents : Mr.A.Baskaran,
Addl. Govt. Pleader for R1
Mr.S.Manohar for R2

ORDER

This Writ Petition is filed seeking a direction to the first respondent to dispose of the appeal filed by the petitioner dated 06.05.2025 and for consequential relief.

2. The second respondent temple filed an eviction petition against the petitioner on the ground of wilful default in payment of rent in P.T.No.299 of 2022 on the file of the first respondent. After hearing the parties, an order was passed by the first respondent on 20.12.2022, quantifying the arrears of rent to be paid by the petitioner. The petitioner was given two months time to pay the arrears, failing which, the second respondent was given liberty to file separate petition for eviction of the petitioner. Aggrieved by the said order, the petitioner filed an appeal before the first respondent seeking to set aside the order passed on 20.12.2022. The same has not been considered by the first respondent. Hence, the petitioner has come before this Court seeking the above said



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relief.

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3. Mr.S.Manohar, learned counsel appearing for the contesting second respondent temple would submit that any order passed by the first respondent is revisable under Section 22 of the Tamil Nadu Public Trusts (Regulation of Administration of Agricultural Lands) Act, 1961, by Principal District Judge. Therefore, the instant appeal filed by the petitioner before the original authority, who decided the case, is not at all maintainable.

4. It is seen from the records, eviction petition has been filed by the second respondent against the petitioner on the ground of default in payment of rent. The order under challenge by the petitioner in appeal has been passed by the first respondent directing her to pay the arrears within the time stipulated. If the petitioner is aggrieved by the said order, she has to file a revision before the District Court as provided under Section 22 of Tamil Nadu Public Trusts (Regulation of Administration of Agricultural Lands) Act, 1961. The appeal filed by the petitioner against the authority, who passed an order, is not at all maintainable. Hence, this Court is not inclined to issue any direction to the first respondent to consider the appeal filed by the petitioner and dispose of the same.



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5. Accordingly, this Writ Petition is dismissed. If the petitioner is so advised, it is open to her to file a revision before the District Court. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

26.06.2025

vsm

Index: Yes/No

Internet: Yes/No

Neutral Citation: Yes/No



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S.SOUNTHAR, J.

vsm

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