



W.P.(MD).No.24092 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 21.07.2025

CORAM

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

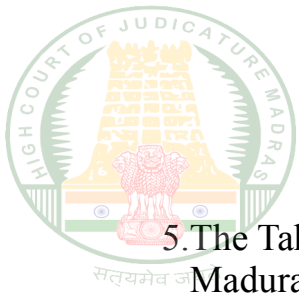
W.P.(MD).No.24092 of 2018
and
W.M.P.(MD).No.21791 of 2018

GHCL Limited (Unit: Sree Meenakshi Mills)
represented by its Senior General Manager
(Finance) and Authorised Signatory
Shri N.Kumar.

... Petitioner

Vs.

- 1.The District Collector,
Madurai District,
Office of the Collectorate,
Madurai – 625 001.
- 2.The Special Officer & District Revenue
Officer (Temple Lands),
Ellis Nagar, Madurai – 625 016.
- 3.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Nungambakkam High Road,
Nungambakkam,
Chennai – 600 035.
- 4.The Executive Officer,
Arulmigu Mulanathaswamy Thirukovil,
Thenkarai, Fit Person for Arulmigu Vadakku Vasal
Selli Amman Temple, Madurai.



W.P.(MD).No.24092 of 2018

5. The Tahsildar,
Madurai North Taluk,
Office of the Tahsildar,
Madurai North Taluk, Madurai.

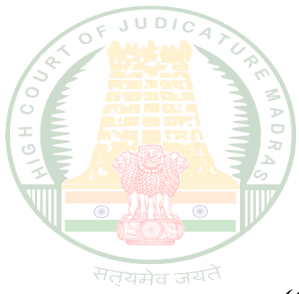
6. The Secretary to Government,
Tamil Culture and Development
Hindu Religious of Charitable Endowments,
Chennai.

... Respondents

*(R-6 is suo motu impleaded vide
Court order dated 07.02.2019)*

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Certiorarified Mandamus, calling for the records of the 2nd respondent in appeal proceedings bearing Na.Ka.No.A/145/2018 dated 26.09.2018 and quash the same and incidentally annul the order of the Settlement Officer, Madurai in proceedings bearing SR/58/MI Act/MDU/66 dated 18.08.1966 referred in the impugned order aforesaid, pertaining to the property comprised in Old Survey No.280/4 of an extent of 2.02 Acres, situated in Paravai Bit II Village, Madurai North Taluk which co-relates to the UDR scheme Paravai Bit-II Village, New Survey No.55/4 of an extent of 0.81.5 Hectare and consequently forbear the 2nd respondent and the 4th respondent from in any manner interfering with the petitioner's possession of the said property and from dealing with the said property or changing the revenue records of the said property.

For Petitioner	: Mr.M.A.Venkatasubramanian for Mr.C.Mahadevan
For R-1 to R-3,	: Mr.P.Subbaraj
R-5 & R-6	: Special Government Pleader
For R-4	: Dr.C.Guhaseelarupan



W.P.(MD).No.24092 of 2018

ORDER

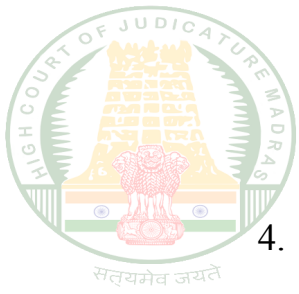
(Order of the Court was made by S.M.SUBRAMANIAM, J.)

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The order of the District Revenue Officer dated 26.09.2018, cancelling the patta stood in favour of the writ petitioner, is under challenge in the present Writ Petition.

2. The learned counsel for the petitioner would submit that the petitioner is in possession of the property and in the event of relegating the parties to approach the Civil Court, possession is to be protected. However, there is no dispute between the parties that the title dispute is to be adjudicated before the competent Civil Court of law.

3. The learned Special Government Pleader appearing on behalf of the Hindu Religious and Charitable Endowments Department would submit that the subject property is a temple property, which belongs to the fourth respondent temple. The fourth respondent temple has filed a petition seeking cancellation of patta and after conducting an enquiry, the District Revenue Officer cancelled the patta. Consequently, the patta was transferred in the name of the fourth respondent temple and that being so, the present Writ Petition is liable to be rejected.



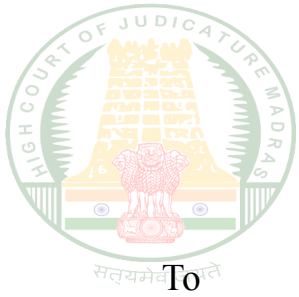
W.P.(MD).No.24092 of 2018

4. Disputed facts relating to civil rights cannot be adjudicated in a writ proceedings. It is not in dispute between the parties that the title in respect of the property is to be adjudicated before the competent Civil Court of law. Writ Court cannot conduct a roving enquiry in respect of such civil rights and therefore, the relief as such sought for cannot be granted. Mere grant of patta or cancellation of patta would not confer any title/ownership to either of the parties. Only after deciding the title dispute, either of the parties has to secure patta under the Patta Pass Book Act or in the manner contemplated. That being the principles to be followed, the parties are at liberty to approach the competent Civil Court of law.

5. With the above observations, this Writ Petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(S.M.S.,J.) (A.D.M.C.,J.)
21.07.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Lm



W.P.(MD).No.24092 of 2018

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