

W.P(MD)No.21528 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.08.2025

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

Writ Petition(MD)No.21528 of 2025

Kirubhakaran

..Petitioner

Vs

1.The District Collector
Tirunelveli District,
Tirunelveli

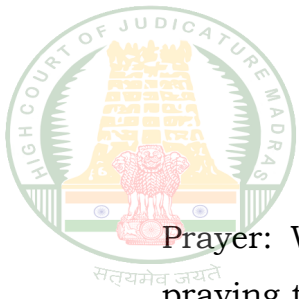
2.The Revenue Divisional Officer
Tirunelveli,
Tirunelveli District.

3.The Tahsildar,
Manur Taluk,
Tirunelveli District.

4.Mavadi Naidu Samuthayathukku
Pathiyapatta Kulatheivam Pattani Swamy
Thirukoil Trust,
No.5/256, Pattanisamy Thirukoil Valagam,
Pillaiyar Kovil Street, Mavadi,
Tirunelveli District.

5.The Regional Deputy Tahsildar
Manur Taluk,
Tirunelveli District.

..Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the Impugned Proceedings issued by the 5th Respondent in O.Mu.A1/17/2024 dated 22.01.2024 and quash the same on the ground that the same is arbitrary, illegal and without any legal basis and consequently direct the respondent to mutate the Revenue Records in the name of Pattani Kovil - Legal Heir of Rajaram - in the place of Pattani Kovil Rajaram pertaining to Arulmighu Pattanisamy Temple comprised in Survey No.674/7 situated at Mavadi Village, Manoor Taluk, Tirunelveli District.

For Petitioner : Mr.P.Krishnasamy

For Respondents : Mr.A.Baskaran
Addl. Govt. Pleader (for R1 to R3 & R5)

ORDER

The writ petition has been filed challenging the order passed by the third respondent, rejecting the petitioner's application for transfer of patta.

2. Heard the arguments of Mr.P.Krishnasamy, learned counsel appearing for the petitioner and Mr.A.Baskaran, learned Additional Government Pleader appearing for the respondents 1 to 3 and 5. Since no adverse order is going to be passed, notice to the 4 respondent is dispensed with. By consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.



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3. The petitioner submitted a representation before the third respondent on 28.12.2023, seeking mutation of the revenue records in his name following the death of his father, Pattani Kovil Rajaram. The said application was rejected by the third respondent through the impugned order, on the ground that the subject property belongs to a temple and therefore, issuance of patta in the name of an individual cannot be permitted. Aggrieved by the said order, the petitioner has approached this Court.

4. Since the impugned order has been passed by the Tahsildar, the petitioner is entitled to file an appeal before the appellate authority, namely, the second respondent, under Section 12 of the Patta Passbook Act. In view of the availability of such an appellate remedy, this Court is not inclined to entertain the present petition. Accordingly, the writ petition stands dismissed with liberty to the petitioner to file an appeal before the second respondent. If such an appeal is filed, the second respondent shall consider and dispose of the same as expeditiously as possible. No costs.

06.08.2025

NCC : Yes/No
Index : Yes/No
Internet:Yes
skn



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To

- 1.The District Collector
Tirunelveli District,
Tirunelveli
- 2.The Revenue Divisional Officer
Tirunelveli,
Tirunelveli District.
- 3.The Tahsildar,
Manur Taluk,
Tirunelveli District.
- 4.The Regional Deputy Tahsildar
Manur Taluk,
Tirunelveli District.



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S.SOUNTHAR, J.

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