



W.P.(MD)No.24389 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.04.2025

CORAM

THE HON'BLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.24389 of 2024

and

W.M.P.(MD)No.20710 of 2024

The Executive Officer,
Sri Nachiar (Andal) Temple,
Srivilliputhur,
Srivilliputhur Taluk,
Virudhunagar District.

: Petitioner

Vs.

1.The Director of Land Survey and Tax,
Chepauk,
Chennai - 600005.

2.The District Revenue Officer,
Virudhunagar District,
Virudhunagar

3.The Commissioner,
Srivilliputhur Municipality,
Srivilliputhur,
Virudhunagar District.



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4.The Tahsildar,
Srivilliputhur Taluk,
Virudhunagar District.

5.Pankajam Ammal : Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari to call for the records of the impugned order passed by the 1st respondent in Na.Ka.A2/290/2022 dated 25.05.2023 and quash the same as illegal.

For Petitioner : Mr.M.Kannan

For Respondents 1,2 & 4 : Mr.C.Satheesh

Government Advocate

For Respondent No.3 : Mr.P.Srinivas

For Respondent No.5 : Mr.M.Thirunavukkarasu

ORDER

The petitioner temple challenges the order of the first respondent dated 25.05.2023 in Na.Ka.A2/290/2022.

2.In the said order, the first respondent has relied on an earlier order passed by the first respondent on 20.05.2009, which according to the petitioner temple was passed behind the back of the



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petitioner and also not communicated to the petitioner temple. It is however, the case of the fifth respondent that the order of the District Revenue Officer was without jurisdiction and the proceedings in Na.Ka.A2/9846/2021 dated 11.10.2021, were behind the back of the fifth respondent, though patta was mutated in the name of the fifth respondent by then.

3. Therefore, considering the fact that both the parties have been deprived of fair opportunity to put forth their respective claims before the revenue authorities, the orders dated 11.10.2021, 20.05.2009 as well as the present impugned order dated 25.05.2023 are set aside and the matter is remitted to the first respondent for fresh consideration. The first respondent shall issue notice to both the petitioner as well as the fifth respondent, conduct enquiry, afford a fair opportunity to the petitioner as well as the fifth respondent and pass a considered order, on merits and in accordance with law, within a period of three [3] months from the date of receipt of a copy of this order. It is made clear that both the petitioner and the fifth respondent shall maintain *status quo*, until the first respondent passes the order.



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4. Accordingly, this Writ Petition stands allowed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

04.04.2025

Index : Yes / No
Internet : Yes / No
NCC : Yes/No
MR



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To

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P.B.BALAJI., J.

MR

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