



W.P.(MD) No.27007 of 2023

BEFORE THE MADURAI BENGH OF MADRAS HIGH COURT

WEB COPY

DATED: 13.08.2025

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P.(MD)No.27007 of 2023

G.Dakshina Moorthy

... Petitioner

Vs

1. The District Collector,
Thanjavur District,
Thanjavur
2. The District Revenue Officer,
Thanjavur,
Thanjavur District.
3. The Revenue Divisional Officer,
Kumbakonam,
Thanjavur District.
4. The Tahsildar,
Kumbakonam Taluk,
Kumbakonam,
Thanjavur District.
5. The Taluk Head Surveyor,
Kumbakonam Taluk,
Kumbakonam,
Thanjavur District.
6. The Assistant Commissioner/
Executive Officer,
Shri Naganathaswamy Temple,
Thirunageswaram, Kumbakonam Taluk,



W.P.(MD) No.27007 of 2023

Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 4th respondent to order subdivision and issue separate patta in favour of the writ petitioner with regard to the land comprised in Survey No.195/1 (Old Survey No. 295/5D) situated at 116, Sannapuram Revenue Circle, Thirunageswaram, Kumbakonam Taluk, Thanjavur District by considering the petitioner's representation dated 03.10.2022.

For Petitioner	: Mr.K.Gnanasekaran
For Respondents	: Mr.A.Baskaran, Addl. Govt. Pleader for R1 to R5 Mr.V.Chandrasekar for R6

ORDER

This Writ Petition is filed seeking a direction to the 4th respondent to order subdivision and issue separate patta in the name of the Writ Petitioner with regard to the land comprised in Survey No.195/1 (Old Survey No.295/5D) in Sannapuram Revenue Circle, Thirunageswaram, Kumbakonam Taluk, Thanjavur District, by considering the petitioner's representation dated 03.10.2022.

2. Heard the arguments of Mr.K.Gnanasekaran, learned counsel for



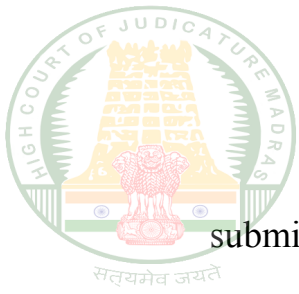
W.P.(MD) No.27007 of 2023

the petitioner, Mr.A.Baskaran, learned Additional Government Pleader appearing for the respondents 1 to 5 and Mr.V.Chandrasekar, learned counsel appearing for the 6th respondent.

3. According to the petitioner, he is residing in portion of the land in the above mentioned S.No.195/1. The portion in possession of the petitioner has not been subdivided. The entire extent of the property in the subject survey number is classified as Grama Natham. It is further stated by the petitioner that he has been in possession and enjoyment of the subject property for several years by putting up a residential house thereon. The petitioner submitted a representation on 03.10.2022 before the 4th respondent seeking issuance of patta and the same has not been considered. Hence, the petitioner has come before this Court.

4. The learned Additional Government Pleader, who appear for respondents 1 to 5 would submit that the representation submitted by the petitioner is under consideration before the third respondent and enquiry is going on.

5. The learned counsel appearing for the 6th respondent would



W.P.(MD) No.27007 of 2023

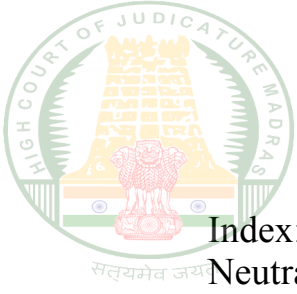
submit that the entire property situated in S.No.195/1 is the property belongs to the 6th respondent temple and the petitioner has no semblance of right over the same.

6. In view of the definite stand taken by the 6th respondent that the property belongs to the 6th respondent temple, without expressing any opinion on the merits of the matter, the third respondent is directed to consider the representation of the petitioner dated 03.10.2022 and pass final orders on its own merits, within a period of sixteen (16) weeks from the date of receipt of a copy of this order, after affording reasonable opportunity to the petitioner and 6th respondent. It is needless to say that it is open to the 6th respondent to produce the document in its custody to establish its right over the subject property before the third respondent. If the 6th respondent's objection is with substance, the petitioner shall be relegated to agitate his right before the civil Court.

7. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

13.08.2025

vsm



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Index: Yes/No
Neutral Citation: Yes/No

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S.SOUNTHAR, J.

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