



W.P.(MD) No.28092 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.01.2025

CORAM:

THE HONOURABLE MRS.JUSTICE N.MALA

W.P.(MD) No.28092 of 2023

1 Kodangipatti Muthalamman Trust,
Rep. by its Present Trustee,
Palanisamy.

2 Palanisamy

3 Gunasekaran

4 Paranjothi

5 Balayee

6 Rani ... Petitioners

-vs-

1 The Revenue Divisional Officer,
Karur,
Karur District.

2 The Tahsildar,
Taluk Office,
Karur District. ... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India,
praying for issuance of a writ of mandamus, directing the respondents to



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delete the entry made as "Temple land Prohibited (Blocked)" in Patta No.2 for the Survey Numbers Nos.200, 205/1, 205/2, 205/3, 205/4, 206, 207, 208 210, 212, 214, 216, 217, 218, 219, 220, 1540/1, 1540/2, 1540/3, 1541, 1542/1, 1542/2, 1543/1, 1543/2, 1543/3, 1543/4, 1544/1, 1544/2 at Mookanankurichi Village, Karur Taluk.

For Petitioner : Mr.J.Anand Kumar

For Respondents : Mr.M.Muthumanikkam,
Govt. Advocate.

ORDER

This Writ Petition is filed for a mandamus, directing the respondents to delete the entry made as "Temple land Prohibited (Blocked)" in Patta No.2 for the Survey Nos.200, 205/1, 205/2, 205/3, 205/4, 206, 207, 208 210, 212, 214, 216, 217, 218, 219, 220, 1540/1, 1540/2, 1540/3, 1541, 1542/1, 1542/2, 1543/1, 1543/2, 1543/3, 1543/4, 1544/1 and 1544/2, at Mookanankurichi Village, Karur Taluk.

2. The third petitioner – Gunasekaran is one of the trustees of the petitioner's Trust. The petitioners owned the subject lands in Mookanankurichi Village, Karur District. The lands originally belonged to one Dandu Bomma Naicker and, thereafter, they were inherited by the family members. Now, the petitioner, namely, present Trustee and his family



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members are the owners of the said lands and patta was also issued in the name of the petitioner. According to the petitioner, till October,2023, there was no entry in the patta, classifying the lands as "Temple Land Prohibited (Blocked)". Suddenly thereafter in 2023, for the first time, in the patta, the petitioner noticed that in the remarks column, it was entered as "Temple Land Prohibited (Blocked)". The petitioner, therefore, sent a representation to the respondents on 28.10.2023, to rectify the error in the computer patta, by deleting the wrong entry made as "Temple Land Prohibited (Blocked)". Since no action was taken by the respondents, the petitioner filed the above writ petition for the aforesaid relief.

3. Learned counsel for the petitioner submits that the subject properties belonged to the petitioner's Trust. In the year 2007, a list of temple properties was sought by Registration Department to avoid registration of temple properties by private parties. A circular was also issued by Registration Department, seeking the individuals to produce "No Objection" from the temple for registration. The said circular was challenged in W.P.No. 5133 of 2009 and, in the said Writ Petition, a letter, dated 04.03.2009, of the Executive Officer of Arulmigu Kalyana Pasupatheeswara Swami Tirukoil, Karur, was submitted, in which, the list of properties belonging to the private individuals was given. This Court, on the basis of the list given by the



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Executive Officer, directed the second and third respondents to register the properties mentioned in the list, dated 04.03.2009, without insisting on "No Objection Certificate" from the temple authorities. According to the petitioners, the petitioners' survey numbers were also included in the said list. Therefore, the petitioners state that the subject properties did not belong to the temple. While so, without knowledge and notice to the petitioners, an entry was made in the online patta that the lands were "Temple Lands Prohibited (Blocked)". Hence, this Writ Petition.

4. This Court, in the earlier round of litigation, on 28.04.2009, in W.P.No.5133 of 2009, on the basis of the representation of the Additional Advocate General, held as follows :

"6. The learned Additional Advocate General has further submitted that since already the Executive Officer of Arulmigu Kalyana Pasupatheeswara Swami Tirukoil, Karur has submitted a list dated 04.03.2009 wherein the particulars of the lands assigned to the individuals are mentioned, a general direction may be issued to the registering authority to take appropriate steps with regard to the certificate from the respondent department. In view of this, the second and third respondents are directed that in the event of any request made to register the lands mentioned in the list dated 04.03.2009 (which are detailed below) submitted by the Executive Officer, the same may be proceeded with, without insisting on "No Objection" Certificate from the temple authorities."



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5. Admittedly, the petitioners' properties were included in the list furnished by the Executive Officer of the temple, for which, "No Objection Certificate" was exempted. In the light of the list produced by the Executive Officer in the earlier Writ Petition No.5133 of 2009, I am of the view that it would be appropriate to direct the respondents to consider the representation of the petitioners, dated 28.10.2023. Accordingly, the respondents are directed to consider the representation of the petitioners, dated 28.10.2023, on merits and in accordance with law, taking into consideration the order passed by this Court in W.P.No.5133 of 2009, dated 28.04.2009, and also the settlement proceedings of the Tahsildar-III, Tiruchirapalli, dated 25.09.1967, within a period of twelve weeks from the date of receipt of copy of this order.

6. Writ Petition is disposed of accordingly. No costs. Consequently, the connected W.M.P.(MD) No.24178 of 2023 is closed.

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

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To:

- 1 The Revenue Divisional Officer,
Karur,
Karur District.
- 2 The Tahsildar,
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N.MALA, J.

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