



W.P(MD)No. 33070 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :19.11.2025

CORAM:

THE HONOURABLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No. 33070 of 2025
and
W.M.P.(MD) No.26077 of 2025

Kanakka Thevar

... Petitioner

Vs

1. The Revenue Divisional Officer,
Peraiyur,
Madurai District.

2. The Tahsildar,
Peraiyur Taluk,
Peraiyur,
Madurai District.

... Respondents

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 order passed by the second respondent in O.Mu.No.4228/2025/C2 dated 08.09.2025 and quash the same as illegal and consequently, direct the second respondent to issue Patta in the name of Arulmighu Koppiliamman Temple for the land in Old Survey No.568/2, New Survey Nos.673/14 and 673/29 to an extent of 0.01.72 at Elumalai Village, Perayur Taluk, Madurai District, within the stipulated time fixed by this Court.

For Petitioner : Mr. A.Rajaram



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For Respondents

: Mr.K.Balasubramani
Special Government Pleader

ORDER

An order rejecting the petitioner's request for issuance of patta to the Temple (Arulmigu Koppiliamman Temple) is challenged in this Writ Petition. By referring to the operative paragraph of the impugned order, learned counsel for the petitioner submits that the order was issued without appreciating the fact that the request of the petitioner was for issuance of patta to the temple. Therefore, he contends that the rejection of such request after noticing that the survey No.568/2 is classified as 'street and temple' is untenable.

2. Learned Special Government Pleader accepts notice for both the respondents. By referring to the judgment in S.A.(MD) No.456 of 2019, which was filed by the Temple through the petitioner, learned Special Government Pleader points out that the Trial Court had dismissed the suit and that such judgment and decree was affirmed by the First Appellate Court. As regards the judgment in the second appeal, he points out that



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the Court partly allowed the second appeal only with regard to conducting a survey and earmarking the temple properties and encroachments.

3. From the judgment in the second appeal, it is clear that the suit was filed by the temple claiming rights over the property. After examining the revenue records and considering the Advocate Commissioner's report, the suit was dismissed. The first appeal filed by the temple was also dismissed. Even in the second appeal, at paragraph 7 of the judgment, the court has recorded that the claim of the defendants may be right, but that a survey is necessary before action is taken for removal of encroachments. In effect, the court has not interfered with the judgment of the Trial Court and the First Appellate Court rejecting the petitioner's title claim over the property.

4. In the above facts and circumstances, the rejection of the petitioner's request for patta contains no infirmity. Learned Special Government Pleader has also placed on record the revenue records indicating that survey Nos.673/29 and 673/14 are classified as 'Natham



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Poramboku' and the remarks column also indicates 'street'.

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5. For reasons aforesaid, I am not inclined to interfere with the impugned order in exercise of discretionary jurisdiction. Therefore, the Writ Petition is dismissed without any order as to costs. Consequently, connected miscellaneous petition is closed.

NCS : Yes/No
Index : Yes / No
Internet : Yes / No
apd

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To
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2. The Tahsildar,
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SENTHILKUMAR RAMAMOORTHY.,J.

apd

ORDER MADE IN

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