



WP No. 10476 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-03-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 10476 of 2026

S.A.RAJ @ Anthoniraj,
S/o.Savariyar,
Packiyanathapuram Village,
Thirumazhapadi,
Ariyalur Taluk and District.

..Petitioner(s)

Vs

The Tahsildar
Ariyalur,
Ariyalur District.

..Respondent(s)

Prayer: Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus directing the respondent to register the petitioner as a cultivating tenant under the provisions of the Tamil Nadu Cultivating Tenants Protection Act, 1955 in respect of the agricultural land comprised in Survey No.11/1 measuring an extent of Acre 2.88 cents, situated at Thirumazhapadi Village, Ariyalur Taluk and district by considering the petitioner's representations dated 11.02.2026 and 23.02.2026 within a time to be fixed by this Court

For Petitioner(s): Mr.V.Raja

For Respondent(s): Mr.C.Jayaprakash
Government Advocate



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ORDER

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The present Writ Petition has been filed seeking a direction to the respondent to register the petitioner as a “Cultivating Tenant” under the provisions of the Tamil Nadu Cultivating Tenants Protection Act, 1955 in respect of the agricultural land comprised in Survey No.11/1, measuring an extent of Acre 2.88 cents, situated at Thirumazhapadi Village, Ariyalur Taluk and District by considering his representations dated 11.02.2026 and 23.02.2026, within a time frame as fixed by this Court.

2. Heard the learned counsel appearing on either side. With the consent of both sides, the present Writ Petition is taken up for hearing at the admission stage itself.

3. It is the case of the petitioner that the subject property is an agricultural land comprised in Survey No.11/1, measuring to an extent of Acre 2.88 cents, situated at Thirumazhapadi Village, Ariyalur District and the said land was originally assigned as a service inam to the temple service holder. Subsequently, upon re-assignment proceedings, the said land was allotted to the petitioner in the year 2007 by the temple for cultivation as a ‘cultivating agent’. Hence right from the year 2007, the petitioner has been in peaceful possession and enjoyment of the said agricultural land and cultivating the land



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during the agricultural seasons. The petitioner had also paid a lease advance of Rs.60,000/- [Rupees Sixty Thousand only] and thereafter, regularly paying the lease rent at the rate of Rs.30,000/- [Rupees Thirty Thousand only] per year to the temple authorities without any default of arrears. While so, the temple authorities are now attempting to dispossess the petitioner from the said land without following the due process of law and therefore, the petitioner made representations dated 11.02.2026 and 23.02.2026, seeking registration of his name as a 'cultivating tenant', however, the respondent neither conducted any enquiry nor passed any order and hence, the present Writ Petition.

4. The learned counsel appearing for the petitioner would submit that the petitioner is the cultivating tenant and has been in lawful possession from the year 2007 onwards and regularly paying the lease rent and hence, the petitioner has a right to protect him under the Tenancy right. He further submitted that the respondents have failed to consider the petitioner's representations dated 11.02.2026 and 23.02.2026 seeking registration of his name as a 'cultivating tenant' and hence, the petitioner has come up with the present Petition to issue a direction to the respondent to grant him the relief sought for in this Writ Petition.



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5. Per contra, the learned Government Advocate appearing on behalf of the respondent submitted that the petitioner has not produced any proceedings or documents issued by the respondent to substantiate his stand that the land was assigned to him as 'Service Inam'. He further submitted that the petitioner has only produced the receipt of the Executive Officer of the temple and Adangal given by the Village Administrative Officer for the subject land, which were not acceptable and hence, prayed this Court to dismiss the Writ Petition.

6. I have considered the rival submissions made by the respective learned counsels and also perused the materials placed on record.

7. It is the specific case of the petitioner that the lands to which the petitioner claims right as a 'Cultivating Tenant', are alleged to have been originally assigned as service inam to the temple service holder and that upon reassignment, the said lands are alleged to have been allotted to the petitioner from the year 2007 by the temple.

8. It is to be pointed out that if a land is assigned as service inam to the temple, only the service holder is entitled to enjoy the said lands till such time he performs service to the deity. The enjoyment of the property is guided by



the service, the said service holder performs to the deity. From the above, it could safely be concluded that the service holder does not enjoy rights for passing on the lands to any other party for the purpose of cultivating the said lands even as a cultivating tenant. The assignment is a defined assignment to the service holder to hold the lands so long as he renders service to the deity and the service holder has no power for reassignment.

9. Be that as it may. It is the specific case of the petition that he had obtained reassignment of the lands from the temple service holder, which has the original assignment. However, as rightly pointed out by the learned Government Advocate, no material has been placed before this Court to establish that the said lands are service inam and that the lands were assigned as service inam to the service holder. In the absence of the basic document, which confers right of enjoyment on the service holder to the lands, the claim of the petitioner that the lands were reassigned to him by the service holder as a cultivating tenant is wholly impermissible. Though the petitioner has produced the receipts issued by the Executive Officer and adangal receipt issued by the Village Administrative Officer towards the payments, however, there is no tangible material placed by the petitioner to show the assignment and the further reassignment as cultivating tenant. Further, it is to be pointed out that even according to the petitioner, the lands have been assigned as



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service inam to the deity and such being the case, in the absence of any document, evidencing that it has been given by the temple to the petitioner to occupy the lands as a cultivating tenant, the claim of the petitioner to record his name as 'Cultivating Tenant' in the service register cannot be permitted, that too after two decades, when no proof evidencing the above tenancy and service inam has been placed before the Court. Therefore, the prayer sought for by the petitioner cannot be granted.

10. For the reasons aforesaid, the Writ Petition fails and the same is dismissed. There shall be no order as to costs.

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To

The Tahsildar
Ariyalur
Ariyalur District.



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M.DHANDAPANI, J.

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