



W.A.(MD)No.3127 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 08.04.2026

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

W.A.(MD)No.3127 of 2025
and C.M.P.(MD)No.18661 of 2025

Arulmigu Kallalagar Temple,
Alagar Kovil, Madurai through its
Deputy Commissioner /
Executive Officer

... Appellant

Vs.

1.The District Collector,
Madurai.

2.The District Revenue Officer,
Madurai.

3.The Tasildar,
Madurai North,
Madurai.

4.R.Vedarajan

5.A.Arockiamary

6.J.Lourdu Sirumalar

7.A.Santiago Antony Selvi

8.Vellachi alias Vijaya

... Respondents



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PRAYER:- Writ Appeal filed under Clause 15 of Letters Patent, against the order passed by this Court in W.P.(MD)No.9293 of 2024, dated 30.07.2024.

For Petitioner : Mr.A.K.Sriram, Senior Counsel
for Mr.S.Manohar

For Respondents : Mr.S.P.Maharajan,
Spl. Govt. Pleader for R1 to R3
Mr.S.Mohan for
Mr.S.Madhavan for R4
Mr.S.Parthasarathy for R5
M/s.A.Niveditha for R6
Mr.L.Vasanthalakshmi for R7
Mr.A.L.Somayaji, Senior Counsel for
Mr.M.Karthikeya Venkatachalapathy for R8

ORDER

(Order of the Court was made by **N.SATHISH KUMAR, J.**)

Challenging the order passed by the learned Single Judge in W.P.(MD) No.9293 of 2024, dated 30.07.2024, the present Writ Appeal has been preferred by the appellant/Temple.

2. The Writ Petition was originally filed challenging the order dated 29.02.2024 passed in revenue proceedings relating to mutation of revenue records and sub-division in favour of the private respondents.



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The learned Single Judge, upon hearing the learned counsel appearing on either side, dismissed the Writ Petition. Aggrieved by the said order, the appellant has preferred the present Writ Appeal.

3. The main contention raised before this Court is that, by order dated 07.03.2016, sub-division was effected based on the application submitted by one Vijaya on 22.02.2016. An inspection was conducted on 07.03.2016, and on the very same day, the order was passed.

4. According to the learned Senior Counsel appearing for the appellant, a joint patta was originally granted in the names of three persons in settlement proceedings dated 25.10.1979, under Section 11(a) of the Tamil Nadu Estates (Abolition and Conversion into Ryotwari) Act, 1948 (Act 26 of 1948), by the Assistant Settlement Officer. The total extent covered under the said patta is 5.02 acres, and the same was issued jointly in the names of one Sangili Nadar, Arulmigu Kallalagar Devasthanam, and Lakshmiammal. It is, therefore, the contention of the learned Senior Counsel that the sub-division has now been effected without issuing notice to the appellant. Hence, it is submitted that the order of the learned Single Judge warrants interference.



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5. We have heard the submissions made on either side and perused the materials available on record.

6. When this Court posed a question to the learned Senior Counsel appearing for the appellant as to what was the exact allotment made to the temple in the final decree proceedings in O.S. No.634 of 1968, he fairly submitted that, as per the said final decree, the temple was allotted an extent of 1.73 acres in R.S. No.42/2B3. The said allotment was also accepted by the temple in the settlement proceedings before the Assistant Settlement Officer, Madurai, by order dated 25.10.1979, wherein it is clearly admitted by the temple authorities that they are entitled to patta only in respect of 1.73 acres in R.S. No.42/2B3.

7. Once the rights have been determined and the settlement proceedings have attained finality, and no challenge having been made thereto, the same is binding on the temple in terms of Section 64(c) of the Tamil Nadu Estates (Abolition and Conversion into Ryotwari) Act, 1948 (Act 26 of 1948). That apart, the civil Court decree has also attained finality. Therefore, pursuant to the said decree, sub-division has been effected in the name of the private respondents, which cannot now be



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called in question. It is also not disputed by the appellant that the extent of 1.73 acres allotted under the final decree and the settlement proceedings is in their possession and enjoyment.

8. In view of the above discussion, we find no merit in the Writ Appeal, and accordingly, the same deserves to be dismissed.

9. Accordingly, this Writ Appeal is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

[N.S.K., J.] & [M.J.R., J.]
08.04.2026

Index :Yes/No

NCC :Yes/No

vsm

To

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Madurai.

2.The District Revenue Officer,
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3.The Tasildar,
Madurai North,
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