

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P.No.26176 of 2014
and M.P.No.1 of 2014

Mrs.Shamimunisa

... Petitioner

Vs.

1. The Sub Registrar,
Sulur Sub-Registrar's Office,
Sulur & Taluk,
Coimbatore District,
2. The Commissioner,
Hindu Religious and Charitable Endowment
Nungambakkam High Road,
Chennai - 600 034,
3. The Assistant Commissioner,
Hindu Religious and Charitable Endowment,
Tirupur - 4,
4. The Inspector General of Registration,
Santhome High Road, Mylapore,
Chennai - 600 004. ... Respondents

(Respondents No.2 to 4 are added as parties
as per order dated 5.2.2015 in M.P.No.2 of 2014
in W.P. No.26176/14)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus to direct the respondent to register the sale deed pertaining to S.No.73/2, S.No.81/2, S.No.82, Kalangal village, Sulur Taluk, Coimbatore District, without insisting upon any no objection certificate.

For Petitioner : Mr.R.Ashrafkhan
and Mr.S.Rayhan

For Respondents : Mr.A.Kumar, Spl.G.P for RR.1 & 4
Mr.P.Sanjay Gandhi, AGP for RR.2 and 3

ORDER

Though the petitioner has come forward with this writ petition seeking registration of the sale deed pertaining to the land in S.Nos.73/2, 81/2 and 82, Kalangal village, Sulur Taluk, Coimbatore District, without insisting upon any no objection certificate, learned counsel appearing for the petitioner submitted that the request for registration in respect of the land in S.No.81/2 may be directed to be considered by the respondent. Learned counsel appearing for the petitioner submitted that the relief sought for in respect of the land in S.Nos.73/2 and 82 are not pressed.

2. So far as the land in S.No.81/2 is concerned, it appears that the document has not been registered by the 1st respondent, as no guideline value has been fixed. It is the duty of the 1st respondent to fix the guideline value after getting appropriate orders, if so required.

3. The matter is pending for more than one year. The petitioner cannot be made to suffer for the failure of the 1st respondent in getting the guideline value fixed. Therefore, the 1st respondent is directed to take appropriate steps to fix the guideline value for the land in S.No.81/2 of Kalangal village, Sulur Taluk, Coimbatore District within a period of eight weeks and thereafter based upon the same, the document of the petitioner in respect of the land in S.No.81/2 of Kalangal village, Sulur Taluk, Coimbatore District will have to be registered by the 1st respondent on the petitioner paying the requisite stamp duty.

The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

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To

1. The Sub Registrar,
Sulur Sub-Registrar's Office,
Sulur & Taluk,
Coimbatore District,
2. The Commissioner,
Hindu Religious and Charitable Endowment
Nungambakkam High Road,
Chennai - 600 034,

3. The Assistant Commissioner,
Hindu Religious and Charitable Endowment,
Tirupur - 4,

4. The Inspector General of Registration,
Santhome High Road, Mylapore,
Chennai - 600 004.

+1 cc to M/s.R.Ashraf Khan, Advocate, sr.49811

W.P.No.26176 of 2014

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