

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 05.02.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.2838/2015

Rajamani

..

Petitioner

Versus

1. The Inspector General of Registration
Santhome High Road, Mylapore,
Chennai 600 004.
2. The Joint Commissioner
Hindu Religious & Charitable Endowment
Nungambakkam High Road,
Chennai 600 034.
3. The Sub Registrar No.II
O/o.The Sub Registrar,
Thiruppur, Thiruppur District.

..

Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 3rd respondent to register the documents pertaining to house site No.31, in survey Nos.262, 263 and 263/2 Thiruppur Town and Taluk, when presented for registration.

For Petitioner : Mr.V.P.K.Gowtham
For Respondents : Mr.V.Jayaprakash Narayanan
Special Government Pleader

ORDER

Heard Mr.V.P.K.Gowtham, learned counsel for the petitioner and Mr.V.Jayaprakash Narayanan, learned Special Government Pleader appearing for the respondents.

2.The petitioner seeks for issuance of a writ of mandamus to direct the 3rd respondent to register the documents pertaining to house site No.31, in survey Nos.262, 263 and 263/2 Thiruppur Town and Taluk.

3. According to the petitioner, when he presented the documents for registration before the 3rd respondent, the 3rd respondent is refusing to receive the documents stating that unless and until the petitioner obtains No Objection from the Hindu Religious and Charitable Endowment Board, the documents cannot be accepted for registration. The petitioner would state that when other properties in the same survey numbers, which have been subdivided into plots, have been registered, he does not know as to why his document alone to be refused to be registered. Further, the petitioner would state that the 3rd respondent has no jurisdiction to go into the title of the property.

4. Be that as it may, the 3rd respondent has not refused to register the documents till date. Hence, the petitioner is directed to present the documents for registration before the 3rd respondent along with a copy of this order. The 3rd respondent shall accept the same and ascertain as to whether the registration has been effected in respect of other plots in the same survey numbers earlier and if that be so, the petitioner's documents can be accepted for registration or otherwise, it is open to the 3rd respondent to pass a speaking order on merits and in accordance with law within a period of three weeks from the date of receipt of a copy of this order.

5. The writ petition is disposed of with the above directions. No costs.

AP

-s/d-

Assistant Registrar (CO)

Dt: 10/2/2015

True Copy

Sub-Assistant Registrar

To

1. The Inspector General of Registration
Santhome High Road, Mylapore,
Chennai 600 004.
2. The Joint Commissioner
Hindu Religious & Charitable Endowment
Nungambakkam High Road,
Chennai 600 034.
3. The Sub Registrar No. II
O/o. The Sub Registrar,
Thiruppur, Thiruppur District.

+ 1 cc to the Government Pleader SR 6351

+ 1 cc to Mr.V.P.K.Gowthaman, Advocate SR 6302

ts(co)
prk10/2

WP.No.2838/2015



WEB COPY