

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.02.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.3186/2015 & MP.Nos.1&2/2015

1.P.R.Srinivasan
2.R.Eswaramurthy
3.T.Saraswathi
4.T.Veeravel Rajan
5.T.Gomathi Chitra
6.T.Shanmuga Sundaram
7.T.Kalidas

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Petitioners

Versus

1.The Sub Registrar
Nallur, Thiruppur Taluk
Thiruppur District.

2.The Executive Officer
Arulmigu Maraiamman Vinayaga Thirukoil
Pichampalayam, Gandhi Nagar
Thirupur District.

3.The Assistant Commissioner
Hindu Religious & charitable Endowment Dept.,
Thirupur.

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Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of certiorarified mandamus calling for the records in the impugned communication dated 11.10.2013 addressed by the 2nd respondent to the 1st respondent and quash the same in respect of land of an extent of 1 acre of the petitioners in S.No.47/1 in Nallur village, Thirupur Taluk and consequently, direct the 1st respondent to register the sale deed presented by the petitioners for registration in respect of land of an extent of 1 acre of the petitioners in S.No.47/1 in Nallur village, Thirupur Taluk.

For Petitioners	:	Mr.N.S.Nandakumar
For R1	:	Mr.S.Gunasekaran, GA
For RR 2 & 3	:	Mr.M.L.Mahendran, GA

ORDER

Heard Mr.N.S.Nandakumar, learned counsel for the petitioners and Mr.S.Gunaksekaran, learned Government Advocate appearing for the 1st respondent and Mr.M.L.Mahendran, learned Government Advocate appearing for the respondents 2 and 3.

2.The petitioners seek to quash the impugned communication dated 11.10.2013 and to direct the respondents to register the sale deed presented by them in respect of the land in question, i.e, in S.No.47/1. By the said communication, the Sub Registrar, Nallur, has been informed that the lands in question belongs to the temple.

3.According to the petitioners, the lands do not belong to the temple. In this regard, an objection has been given by the petitioners on 08.11.2013. Till date, the objection has not been considered and when the petitioners approached the Sub Registrar, Nallur, for registration of the documents, he has refused to entertain the documents for registration.

4.In the light of the above facts, since already the petitioners' objection is pending before the 3rd respondent, the 3rd respondent is bound to consider the same and take note of the documents which have been filed by the petitioners.

5.Accordingly, there will be a direction to the 3rd respondent to consider the objection/representation of the petitioners dated 08.11.2013, afford an opportunity of personal hearing to the parties concerned and thereafter, pass an 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.

6.The writ petition is disposed of with the above direction. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

AP

To

1.The Sub Registrar
Nallur, Thiruppur Taluk
Thiruppur District.

2.The Executive Officer
Arulmigu Maraiamman Vinayaga Thirukoil
Pichampalayam, Gandhi Nagar
Thirupur District.

3.The Assistant Commissioner
Hindu Religious & charitable Endowment Dept.,
Thirupur.

2 cc to Government Pleader, Sr.No6789

1 cc to Mr.N.S.Nandakumar ,Advocate, SR.No.6763

vsn (co)
pmk.23.2.2015

WP.No.3186/2015



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