

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.12.2016

CORAM:

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P.No.42142 of 2016

R.G.Chandrasekar

... Petitioner

Versus

1. The District Registrar,
Tiruppur.

2. Joint Sub-Registrar - II,
Sub-Registrar Office,
Tiruppur.

3. Arulmigu Vishveshwara Samy Temple
& Ceeraraghava Perumal Temple,
Rep. by its Executive Officer,
Tiruppur Town & Taluk,
Tiruppur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of writ of mandamus, to direct the 2nd respondent to receive and register the renewal of lease deed and mortgage deed in respect of survey No.198, T.S.No.422, Block No.12, Old Ward No.19, New Ward No.3, Tiruppur Town & Taluk measuring about 6900 sq. ft.

For Petitioner : Mr.N.C.Ashok Kumar

For Respondents: Mr.A.N.Thambidurai,
Special Government Pleader

ORDER

By consent of both parties, the present writ petition is taken up for final disposal at the admission state itself.

2. The present writ petition has been filed seeking for the issuance of writ of mandamus, to direct the 2nd respondent to receive and register the renewal of lease deed and mortgage deed in respect of survey No.198, T.S.No.422, Block No.12, Old Ward No.19, New Ward No.3, Tiruppur Town & Taluk measuring about 6900 sq. ft.

3. Though the petitioner sought for a larger relief, now he restricted the relief by stating that since the respondents are not registering the documents on the ground that the property is recorded as Dasimaniam in the revenue records and belonging to the Temple, he may be permitted to approach the second respondent with an application for registration of the lease deed and/or mortgage deed along with necessary documents, enabling him to establish his right over the land in question and on receipt of the said application, the second respondent may be directed to consider it and pass orders thereon, after giving notice to the third respondent.

4. Since the petitioner seeks for limited prayer, this Court directs the petitioner to approach the second respondent with an application for registration of lease deed/mortgage deed along with necessary documents, within a period of two weeks from the date of receipt of a copy of this order and on receipt of such application, the second respondent is directed to consider such application of the petitioner, after giving opportunity to the third respondent and pass orders thereon, on merits and in accordance with law, within a period of three months thereafter.

5. With the above direction, the present writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1. The District Registrar, Tiruppur.

2. Joint Sub-Registrar - II,
Sub-Registrar Office, Tiruppur.

3. Arulmigu Vishveshwara Samy Temple
& Ceeraraghava Perumal Temple,
Rep. by its Executive Officer,
Tiruppur Town & Taluk, Tiruppur District.

+1cc to M/s. N.C. Ashok Kumar, Advocate, S.R.No.71130

+1cc to the Government Pleader, S.R.No.71291

ML(CO)

EU 15.12.16

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