



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition (MD) No.22558 of 2016

Selvam

... Petitioner

Vs.

1.The Joint Commissioner,
Hindu Religious and Charitable Endowment,
Opposite to West Gopuram,
Madurai.

2.The Sub-Registrar,
Sub Registrar Officer,
Natham, Dindigul District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the first respondent to issue the No Objection Certificate in respect of the Resurvey Nos.66/1 and 66/3 situated at Aavatchippatti, Natham Taluk, Dindigul District on the basis of the petitioner's representation dated 09.1.2016 within a time frame to be stipulated by this Court.

For Petitioner
For Respondents

: Mr.M.Ramu
: Mr.V.Muruganandham
Addl. Government Pleader

ORDER

The petitioner has filed this Writ Petition, directing the first respondent to issue the No Objection Certificate in respect of the Resurvey Nos.66/1 and 66/3 situated at Aavatchippatti, Natham Taluk, Dindigul District on the basis of the petitioner's representation dated 09.1.2016 within a time frame .

2.Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents and perused the material documents carefully.

3.According to the petitioner, he is the owner of the property in Survey Nos.66/1 and 66/3 to the extent of 1 acre and 23 cents in Aavatchippatti Village, Natham Taluk, Dindigul District. According to him, he has purchased the property on 13.07.2012 and patta was also transferred in his name and he wants



to sell the property and the Sub Registrar has raised objection that one Suebasthiyammal executed the Tenancy on the property in favour of the Arulmighu Mariyammal Temple and hence, the Sub Registrar insisted him to get No Objection Certificate from the temple authorities. According to the petitioner, the said Sebasthiyammal mistakenly executed the tenancy and she has no way connected in the property. In this regard, the petitioner has given a representation to the first respondent on 02.11.2016 and subsequently another representation on 09.11.2016 requesting him to issue No Objection Certificate and since no action has been taken, he has filed the present writ petition.

4. In the above circumstances, since the petitioner's representation is dated 09.11.2016 and it is pending till date, without going into the merits of the case, the first respondent, the Joint Commissioner, Hindu Religious and Charitable Endowment, Opposite to West Gopuram, Madurai, is directed to consider the petitioner's representation, dated 09.11.2016 and pass suitable orders on merits and in accordance with law, within a period of 12 weeks from the date of receipt of a copy of this order.

5. Accordingly, this writ petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar

CM

To

1. The Joint Commissioner,
Hindu Religious and Charitable Endowment,
Opposite to West Gopuram, Madurai.

2. The Sub-Registrar,
Sub Registrar Office, Natham,
Dindigul District.

+1cc to Mr. M. Ramu Advocate Sr.No. 72791
+1cc to Spl. Government Pleader Sr.No. 72696

JAM/12.12.16/KM/2P-5C

W.P (MD) No. 22558 of 2016
24.11.2016