

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 08.05.2017

Coram

The Hon'ble Mr.Justice S.M.SUBRAMANIAM

Writ Petition No.636 of 2013

K. PerumalPetitioner

Vs.

1. The Special Tahsildar (Temple Lands),
Chidambaram,
Cuddalore District.

2. The District Registrar,
Chidambaram,
Cuddalore District.

3. Sub-Registrar-I,
Chidambaram,
Cuddalore District.

4. The Sub-Registrar-II,
Chidambaram,
Cuddalore District.

5. The Commissioner
Hindu Religious and
Charitable Endowment, सत्यमेव जयते
Nungambakkam,
Chennai 600 034.

(Impleaded as per order dated 18.01.2013
in MP.No.2/2013 in WP.No.636/2013).Respondents

Writ Petition, filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorarified Mandamus calling for the records of the 1st respondent herein in Na.Ka.No.A/210/2009 dated 26.07.2012 and quash the same and further direct the respondents 2 to 4 herein to register documents executed by the petitioner with regard to lands in R.S.No.122/4 and R.S.No.124/4 in C.Kothangudi Village, Chidambaram Taluk, Cuddalore District if they are otherwise in order.

For Petitioner : Mr.A.Muthukumar

For RR1 to RR4 : Mr.Dhananjeyam
Special Government Pleader

For Respondent-5 : Mr.M.Maharaja
{Special Govt.Pleader (HR & CE)}

O R D E R

The present writ petition is filed challenging the order dated 26.07.2012 of the first respondent herein in Na.Ka.No.A/210/2009 and the said order was communicated to the District Registrar and Sub-Registrar of the Registration Department by the Special Tahsildar (temple lands), Chidambaram.

2. The Special Tahsildar (temple lands), Chidambaram, informed the District Registrar and Sub-registrar of the Registration Department not to register any deed in respect of temple lands, if there is any objection.

3. Learned Special Government Pleader (HR & CE) has brought to the notice of this Court regarding the judgment of the Hon'ble Division Bench pronounced on 05.04.2017 in W.P.No.30589/2013 and batch of cases. The Hon'ble Division Bench of this Court has held that

"(ii) If the registering authority, refuses to register any document by accepting the objections raised under Section 22-A of the Registration Act, the aggrieved may file a statutory appeal under the Act".

4. When there is a provision for statutory appeal, the Hon'ble Division Bench of this Court, has declined to grant relief in respect of the original order passed. Accordingly, the writ petitioner is at liberty to prefer an appeal under the Act. In view of this, no further adjudication is required on merits in this writ petition.

In the result, the writ petition stands disposed of with liberty given to the writ petitioner to prefer an appeal under the Act, in accordance with law. No costs.

Sd/
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1.The Special Tahsildar (Temple Lands),
Chidambaram,
Cuddalore District.

2.The District Registrar,
Chidambaram,
Cuddalore District.

3. Sub-Registrar-I,
Chidambaram,
Cuddalore District.

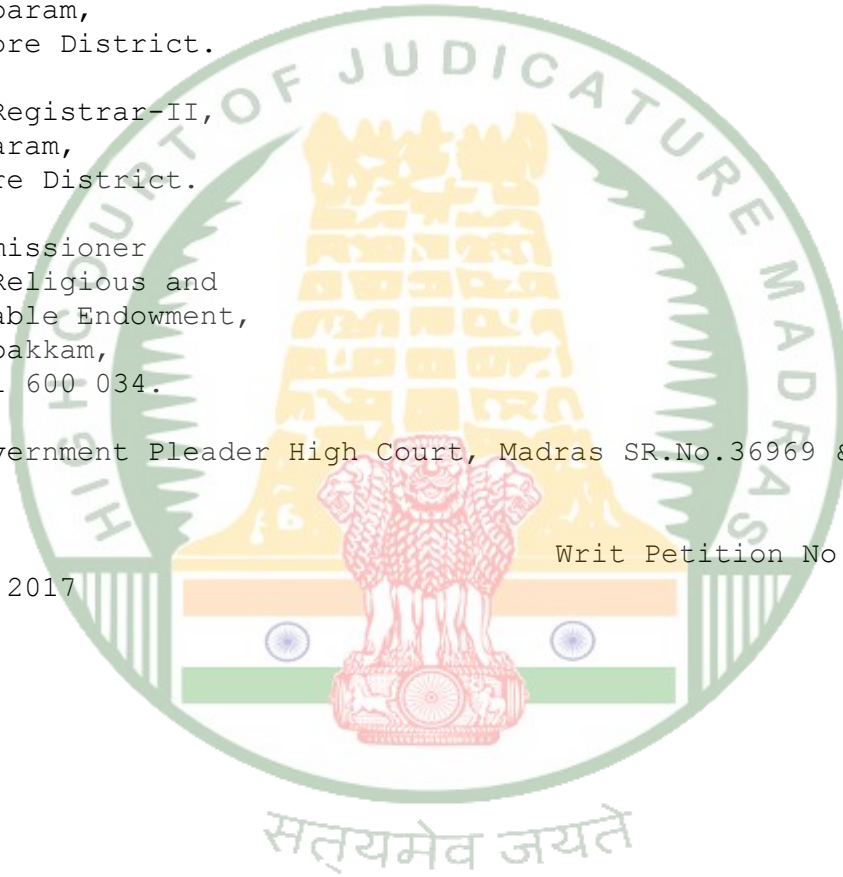
4.The Sub-Registrar-II,
Chidambaram,
Cuddalore District.

5. The Commissioner
Hindu Religious and
Charitable Endowment,
Nungambakkam,
Chennai 600 034.

+1cc to Government Pleader High Court, Madras SR.No.36969 & 37139

Writ Petition No.636 of 2013

SDR 17.05.2017



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