



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:27.04.2017

CORAM:

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**THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM**  
**AND**  
**THE HONOURABLE MR.JUSTICE P.VELMURUGAN**

W.A. (MD) No.372 of 2017 &  
C.M.P. (MD) .No.3392 of 2017

- 1.The Sub Registrar  
Illuppur, Illuppur Taluk,  
Pudukkottai District.
- 2.The Assistant Commissioner,  
Hindu Religious and Charitable  
Endowments Department,  
Near Old Municipality Office,  
Pudukkottai. ...Appellants/Respondents 1 and 3

Vs.

- 1.Chelladurai ...1<sup>st</sup> Respondent/Writ Petitioner
- 2.Sri Ramanuja Koodam  
Rep by it's Trustee viz  
G.Krishnamoorthy  
Naidu Street,  
Illuppur, Illuppur Post,  
Pudukkottai District. ...2<sup>nd</sup>Respondent/ 2<sup>nd</sup> Respondent

PRAYER: Writ Appeal is filed under Clause 15 of Letters Patent against the order, dated 06.02.2017, made in W.P.(MD).No.6355 of 2014.

Prayer in WP(MD)No.6355/2014:-

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the 1st respondent in his proceedings in No.121/09 dated 13.5.2013 and quash the same as illegal and consequently to direct the 1st respondent to register and release the sale deed dated 14.6.2010 pending on his file vide pending document No.7 of 2010 within the period that may be stipulated by this Hon'ble Court.



For Appellants : Mr.S.Chandrasekar  
Government Advocate  
For Respondent No.1 : Mr.C.Venkatesh Kumar

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JUDGMENT

[Judgment of the Court was delivered by T.S.SIVAGNANAM,J]

Heard Mr.S.Chandrasekar, learned Government Advocate for the appellants, Mr.C.Venkatesh Kumar, learned counsel for the respondents.

2. This appeal is directed against the order in W.P.(MD). No.6355 of 2014, dated 06.02.2017. The said writ petition was filed by the first respondent to quash the order passed by the first appellant to register and release the sale deed dated 14.06.2010. By allowing the writ petition, the Writ Court set aside the order passed by the first appellant and directed to register and release the document, if there is no legal impediment. Accordingly, though the appeal was preferred by the appellants, the document was registered as No.201 of 2017 dated 08.03.2017 and the same has been released. Therefore, nothing survives to adjudicate in this writ appeal, except to observe that mere registration and release the document will not take away the rights of the respondent temple or the HR&CE Department, which they can independently adjudicate before the appropriate forum and it is always open to them to approach the Civil Court for necessary relief to that effect.

With the above observations, the writ appeal is dismissed. No costs. Consequently, the connected C.M.P is also closed.

Sd/-

Assistant Registrar(RTI)

/True Copy/

To

Sub-Assistant Registrar

The Sub Registrar

Illuppur, Illuppur Taluk,  
Pudukkottai District.

+One cc to The Special Government Pleader, SR.No.55377

+One cc to M/s.Ajmal Associates, Advocate, SR.No.54858

Ns

RL/4C/2P/MR/15.5.2017

W.A.(MD) No.372 of 2017

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