

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.04.2019

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.6946 of 2019

and

WMP.No.7687 of 2019

1. R.Poornima
2. P.Thiruvengadam ... Petitioners

Vs

1. The Inspector General of Registration
Santhome High Road
Pattinapakkam, Chennai.
2. The District Registrar
Tiruppur
Tiruppur District.
3. The Joint Sub-Registrar No.II
Tiruppur
Tiruppur District.
4. The Executive Officer
Arulmigu Visweswara Swamy and
Veeraragava Perumal Temple
Easwaran Kovil Street,
Tiruppur, Tiruppur District. ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 3rd respondent to register and release the sale deed dated 24.11.2017 to the petitioner within time bound manner by considering the petitioners written explanations dated 18.01.2018 to the notice issued by the 3rd respondent vide proceedings in Number.14/2018 dated 04.01.2018.

For Petitioners : Mr.K.Myilsamy
For Respondent : Mr.P.P.Purushothaman
Government Advocate
for R1 to R3
Mr.M.Maharaja
Special Government Pleader
for R4

O R D E R

The petitioners seek for a direction to the third respondent to register and release the sale deed dated 24.11.2017.

2. Heard the learned counsel for the petitioners, the learned Government Advocate for the respondents 1 to 3 and the learned Special Government Pleader for the fourth respondent.

3. It is seen that the sale deed presented by these petitioners was not registered by the third respondent on the reason that there is an objection raised by the fourth respondent-Temple for registering any sale deed in respect of the subject matter property. It is stated by both sides that the third respondent is conducting an enquiry in respect of the subject matter sale deed presented by these petitioners.

4. The learned Special Government Pleader for the fourth respondent submitted that so far, the Temple has not received any notice from the third respondent.

5. On the other hand, it is submitted by the learned counsel for the petitioners that a show cause notice was issued both to the petitioners as well as the fourth respondent-Temple.

6. In any event, as it is for the third respondent to conduct enquiry and pass appropriate orders after hearing both the parties, a fresh notice shall be issued to the petitioners as well as the fourth respondent and thereafter, the third respondent shall pass appropriate orders on merits and in accordance with law after hearing them. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioners, as it is for the third respondent to consider and pass appropriate orders after hearing the petitioners and the fourth respondent as well. The whole exercise shall be done by the third respondent within a period of eight weeks from the date of receipt of a copy of this order.

7. With the above direction, this writ petition is disposed of, accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

mk

To

1. The Inspector General of Registration
Santhome High Road
Pattinapakkam, Chennai.
2. The District Registrar
Tiruppur
Tiruppur District.
3. The Joint Sub-Registrar No.II
Tiruppur
Tiruppur District.
4. The Executive Officer
Arulmigu Visweswara Swamy and
Veeraragava Perumal Temple
Easwaran Kovil Street,
Tiruppur, Tiruppur District.

+1cc to Mr.K.Myilsamy , Advocate SR.No. 38102

+1 cc to Government Pleader Sr.No. 39078

+1 cc to Spl.Government Pleader Sr.No. 38901

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A.SK(20/05/2019)



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