

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.10.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.4918 of 2016

T.Thulasimani

... Petitioner

Vs.

1.The Inspector General of Registration,
Santhome High Road, Mylapore,
Chennai - 600 004.

2.The Joint Sub Registrar No.II,
The Office of Sub Registrar,
Tirupur - 3, Tirupur District.

3.The Commissioner of Hindu Religious
and Charitable Endowments,
Chennai - 600 034.

4.The Joint Commissioner,
H.R. & C.E. Department,
Coimbatore.

... Respondents

Petition filed under Article 226 of the Constitution of India for issuing a writ of mandamus directing the 2nd respondent to register the documents pertaining to 1020 sq.ft. of land, Old Municipal Ward No.32, New Ward No.49, Block 5, T.S.No.89, Survey No.137, Site No.10 and patta No.4118, KVR Nagar, Tirupur without insisting for the No Objection Certificate from the 4th respondent Department when the same is presented for registration by the petitioner.

For Petitioner : Mr.P.Kalimuthu

For Respondents: Mr.B.Kannan,
Government Advocate (R1 & R2)
R3 & R4 - no appearance

O R D E R

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus directing the 2nd respondent to register the documents pertaining to 1020 sq.ft. of land in Old Municipal Ward No.32, New Ward No.49, Block 5, T.S.No.89, Survey No.137, Site No.10 and patta No.4118, KVR Nagar, Tirupur without insisting for the No Objection Certificate from the 4th respondent Department when the same is presented for

registration by the petitioner.

2.It is settled position that in the case of the property belonging to a Temple, the Sub Registrar has to issue notice to the Hindu Religious and Charitable Endowments Department and the Temple under Section 22 A of the Tamil Nadu Registration Act. The Division Bench of this Court in the judgment reported in 2017 (3) CTC 135 [Sudha Ravi Kumar and another Vs. The Special Commissioner and Commissioner, Hindu Religious and Charitable Endowments Department, Chennai and others], held that in the case of the land/property belonging to a Temple/Wakf, the Sub Registrar has to issue a notice under Section 22A of the Registration Act to the Temple/Wakf, as the case may be, before registering the document.

3.In view of the judgment of the Division Bench of this Court reported in 2017 (3) CTC 135 (cited supra), the prayer sought for in the Writ Petition cannot be granted. Accordingly, the Writ Petition stands dismissed. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

va

To

1.The Inspector General of Registration,
Santhome High Road, Mylapore,
Chennai - 600 004.

2.The Joint Sub Registrar No.II,
The Office of Sub Registrar,
Tirupur - 3, Tirupur District.

3.The Commissioner of Hindu Religious
and Charitable Endowments,
Chennai - 600 034.

4.The Joint Commissioner,
H.R. & C.E. Department,
Coimbatore.

+1cc to the Government Pleader SR.33532

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EV(CO)
CB(06/11/2020)