

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2020

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.NO.19131 OF 2020

Arulmighu Pongalur Amman @
Kandiamman @ Neelakandiamman Thirukoil,
Rep.by Mr.K.Natarajan,
The Chairman, Board of Trustees,
Thirukoil Campus, Pongalur - 641 667,
Palladam Taluk, Tirupur District.

...Petitioner

vs.

1. The Inspector General of Registration,
No.100, Santhome High Road,
Pattinapakkam, Chennai - 600 028.
2. The District Registrar,
Tirupur District, Tirupur.
3. The Sub-Registrar,
Sub Registrar Office,
Mangalam Road,
Palladam, Tirupur District.
4. The Authorized Officer,
Canara Bank, ARM Branch,
166, Thiruvenkatasamy Road West,
Coimbatore - 641 002.
5. M/s.VIP Grand Propertieess,
Rep.by its Partner,
E.Kandhasami, S/o Elayappagounder,
No,32, Mariyamman Nagar,
Appamasamuthiram post,
Attur Taluk, Thanmangudipalayam,
Salem District.

...Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the second respondent herein to expedite the enquiry and pass order within a fixed time frame, in respect of the proceeding in Na.ka.No.5273/D5/2019 concerning the complaint made by the

petitioner-temple management against the third respondent herein for illegal registration of the sale certificate in Doc.No.5560/2019 dated 25.04.2019 pertaining to the agricultural land belonged to the petitioner temple in S.F.No.350/1 with an extent of 8.68 acres of Pongalur village, Palladam Taluk, Tirupur District.

For Petitioner : Mr.P.M.Duraiswamy

For R1 to R3 : Mr.T.M.Pappiah
Special Government Pleader

O R D E R

This writ petition has been filed for the issue of writ of mandamus directing the second respondent to complete the enquiry and pass orders within the time frame fixed by this Court.

2.The grievance of the petitioner is that the fifth respondent has illegally presented a sale certificate for registration before the third respondent with regard to the property belonging to the petitioner temple and managed to get it registered on 25.04.2019. A complaint was given by the petitioner temple before the first respondent to conduct an enquiry with regard to the illegal registration of the document. The first respondent ordered for enquiry and directed the second respondent to conduct enquiry under Section 68(2) of the Registration Act. Thereafter, a notice was also issued by the second respondent to the parties on 30.12.2019. There was absolutely no progress thereafter. Left with no other option, the petitioner has preferred this writ petition seeking for appropriate direction.

3.Heard Mr.P.M.Duraiswamy, learned counsel for the petitioner and Mr.T.M.Pappiah, learned Special Government Pleader appearing on behalf of the respondents 1 to 3.

4.Taking into consideration the facts and circumstances of the case and limited relief sought for in this writ petition, without going into the merits of the case, there shall be a direction to the second respondent to conduct the enquiry, after giving sufficient opportunity to the petitioner and fifth respondent and pass final orders strictly in accordance with law within a period of eight weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation along with the relevant documents and also a copy of this order.

5.This writ petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

rk

To

1. The Inspector General of Registration,
No.100, Santhome High Road,
Pattinapakkam, Chennai - 600 028.
2. The District Registrar,
Tirupur District, Tirupur.
3. The Sub-Registrar,
Sub Registrar Office,
Mangalam Road,
Palladam, Tirupur District.

+1cc to Mr.P.M.Duraiswamy, Advocate, S.R.No.42389

+1cc to the Government Pleader, S.R.No.42496

W.P.No.19131 of 2020

PA(CO)
CS/19/01/2021

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