



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:26.11.2020

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THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P. (MD)No.11280 of 2018

and

W.M.P. (MD) .No.10297 of 2018

Tamil Selvan

... Petitioner

Vs.

The Sub Registrar,
Thirumangalam.

... Respondent

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a writ of Mandamus, forbearing the respondent from registering any documents in S.No.20/1B, Maravankulam Village, Thirumangalam Taluk, Madurai District without considering objection petition made by the petitioner dated 21.05.2018.

For Petitioner : Mr.RM.Arun Swaminathan

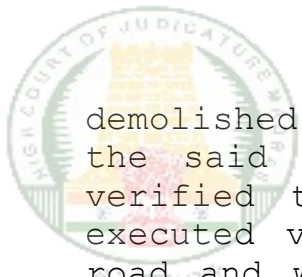
For Respondent : Mr.K.Sathiya Singh
Additional Government Pleader

ORDER

The present writ petition has been filed for issuance of a Writ of Mandamus, forbearing the respondent from registering any documents in S.No.20/1B, Maravankulam Village, Thirumangalam Taluk, Madurai District without considering objection petition made by the petitioner dated 21.05.2018.

2. Heard the learned counsel for the petitioner as well as Mr.K.Sathiya Singh, learned Additional Government Pleader appearing for the respondent.

3. The case of the petitioner is that the petitioner belongs to Piramalai Kallar community and the property in question is called as "Sannasi Madam", situated in S.No.20/1B, to an extent of 75 cents, at Maravankulam Village, Thirumangalam Taluk, Madurai District, which is opposite to the petitioner's house. The said property belonged to the devotees of Arulmigu Subramania Swami Temple for the purpose of using Kavadi procession during festivals. Since the petitioner found that some land grabbers



demolished the original structure of the mutt building situated in the said property and trying to sell the land for ransom, he verified the revenue records and found that the land grabbers executed various documents with the help of bogus documents and road and water tank also wrongly classified and bogus patta has also been obtained for the said land. Hence, the petitioner made an application with all relevant documents to the respondent to stall the registration in respect of the property in question on 21.05.2018. In such circumstances, the petitioner has approached this Court.

4. The learned counsel for the petitioner would submit that the petitioner is not the owner of the property in question and it is a temple property. He further submitted that some third parties are trying to usurp the said property. Hence, his representation dated 21.05.2018 to stall the registration in respect of the said property may be considered before making any registration in future.

5. The learned Additional Government Pleader appearing for the respondent would submit that the representation of the petitioner dated 21.05.2018 would be considered before any decision is taken with regard to the registration of documents in Survey No.20/1B at Maravankulam Village, Thirumangalam Taluk, Madurai District.

6. In view of the limited scope of the prayer sought for by the petitioner, this Court, without expressing any opinion on the merits of the matter, directs the respondent to consider the representation dated 21.05.2018 submitted by the petitioner as and when any documents are trying to be registered by any third parties.

7. This Writ Petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CRL.SIDE)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

The Sub Registrar,
Thirumangalam.

+1 CC to SGP (SR-23100[F] dated 27/11/2020)

W.P. (MD)No.11280 of 2018
26.11.2020

MJ(CO)
KM (15.12.2020) 3P 3C