

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2021

CORAM

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

W.P. No.10073 of 2021

P. Senthil Kumar,
S/o. P. Palaniswami

... Petitioner

Vs

1. The Inspector General of Registration,
O/o. The Inspector General of Registration,
Santhome High Road, Mylapore,
Chennai 600 004.
 2. The Deputy Inspector General of Registration,
O/o. the Deputy Inspector General of Registration,
Coimbatore Zone (Tiruppur),
No.6/1, GRD Road,
Opp. Air Force Admin College,
Red Fields, Coimbatore- 641 018
 3. The Sub Registrar,
O/o. the Sub Registrar,
Kangayam Rd.,
Ponmutu Nagar,
Nallur, Tirupur- 641 606.
 4. S. Umadevi
 5. Arulmigu Visveshwaraswamy Visalatchi
Subramaniaswamy Temple,
rep. by its Executive Officer,
Nallur, Tiruppur - 641 606
- ... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 3rd respondent to complete the registration of the petitioner's sale deed in pending Doc.No.P86/2020, on its file and release the same to the petitioner.

For petitioner ... M/s. MCGAN LAW FIRM
For respondents ... Mr.T.M.Pappiah,
Spl.Govt. pleader
for R1 to R3

... Mr. K. Ashok Kumar,
for R4

... Mr. M.Karthikeyan,
or R5.

ORDER

This writ petition has been filed seeking a direction to complete the registration of the petitioner's sale deed pending with the third respondent.

2. According to the petitioner, the petitioner has purchased the land in Survey No.671/1A1A1B, in patta No.4018, situated at Nallur Village, Tirupur North Taluk, Tirupur District from the 4th respondent. Thereafter, he has filed the sale deed for registration before the 3rd respondent. But, the same was not registered by the third respondent on the ground that the 5th respondent temple has raised objection regarding the title of the petitioner, and claiming that the land belongs to the temple. According to the petitioner, enquiry was conducted on 13.10.2020 and the petitioner also appeared for enquiry. But, no order has been passed till date. Hence, the present writ petition has been filed.

3. Mr. Karthikeyan, learned counsel appearing for the 5th respondent temple submitted that 5th respondent is the owner of the property. Without their knowledge, the 4th respondent, who has no title over the property has sold the property in favour of the petitioner and hence, they raised objection regarding the transfer of patta and the same is pending.

4. The learned counsel for the petitioner would submit that he will be satisfied if the third respondent is directed to complete the enquiry and pass suitable orders within stipulated time.

5. I have considered the submissions made on either side and perused the materials available on records carefully.

6. Considering the facts and circumstances of the case and the limited prayer sought for in the writ petition, without going into the merits of the case, the third respondent is

directed to complete the enquiry and pass suitable orders on merits and in accordance with law after giving opportunity to the petitioner as well as fifth respondent, within a period of eight (8) weeks from the date of receipt of a copy of this order.

7. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

mrp
To

1. The Inspector General of Registration,
O/o. The Inspector General of Registration,
Santhome High Road, Mylapore,
Chennai 600 004.
2. The Deputy Inspector General of Registration,
O/o. the Deputy Inspector General of Registration,
Coimbatore Zone (Tiruppur),
No.6/1, GRD Road,
Opp. Air Force Admin College,
Red Fields, Coimbatore- 641 018
3. The Sub Registrar,
O/o. the Sub Registrar,
Kangayam Rd.,
Ponmutu Nagar,
Nallur, Tirupur- 641 606.

+1 cc to Mr. K.Ashok kumar, Advocate Sr.No. 25187
+1 cc to Mr.Mc Gan law firm, Advocate Sr.No. 24564
+1 cc to The Government Pleader Sr.No. 25352

W.P. No.10073 of 2021

LN(CO)
RMP(04/05/2021)