



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2021

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.NO.10576 OF 2021

AND

W.M.P.NO.11171 OF 2021

M.V.Ramakrishnan

...Petitioner

Vs

1.The Sub Registrar,
Triplicane Sub Registration office,
Chennai.

2.The District Registrar,
Chennai Central,
Chennai.

3.The Inspector General of Registration,
Office of the Inspector General of Registration,
Santhome, Chennai.

4.Tamil Nadu Wakf Board,
Represented by Chief Executive Officer,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai 1.

...Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, forbearing the respondents 1 and 2 from insisting the petitioner to produce No Objection Certificate from the fourth respondent for registering documents pertaining to the petitioner's property viz., Old No.34, New No.81, Pillayar Koil Street, Triplicane, Chennai. 5 comprised in R.S.No.627, Old S.No.382, CC.No.795, admeasuring 1586½ sq.ft or thereabouts as laid down by a decision of the Hon'ble Division Bench of this Hon'ble Court reported in 2017 (3) CTC 135 in the case of Sudha Ravi Kumar Vs The Special Commissioner.

For Petitioner	:	Mr.N.A.Nissar Ahmed
For R1 to R3	:	Mr.A.Selvendran Special Government Pleader.
For R4	:	Mr.V.Lakshminarayanan



ORDER

This Writ Petition has been filed for forbearing the respondents 1 and 2 from insisting the petitioner to produce No Objection Certificate from the fourth respondent for registering the deed of conveyance in respect of the petitioner's property viz., Old No.34, New No.81, Pillayar Koil Street, Triplicane, Chennai. 5, Patta No.235 dated 21.10.1945 comprised in R.S.No.627, Old S.No.382, CC.No.795, admeasuring 1586½ sq.ft. (herein after called as "subject property").

2. Heard Mr.N.A.Nissar Ahmed, learned counsel appearing for the petitioner, Mr.A.Selvendran, learned Special Government Pleader appearing for the respondents 1 to 3 and Mr.V.Lakshminarayanan, learned counsel appearing for the fourth respondent.

3. The subject property originally belonged to One M.S.Venkatrama Iyer purchased by the registered sale deed, dated 21.06.1962. He died intestate leaving behind the petitioner and 8 others as his legal heirs. The petitioner's brothers and sisters relinquished their 7/9th share in favour of the petitioner by the release deed, dated 18.06.2007. Thereafter, the petitioner and his brother proposed to sell the said property to meet out their expenses and for their livelihood.

4. While verifying the guideline value from the first respondent, came to understand that the fourth respondent had submitted protest petition not to register any property in respect of the subject property and directed to obtain the No Objection Certificate from the fourth respondent to register any of the deed of conveyance in respect of the subject property.

5. The first respondent informed that the subject property doesn't belong to wakf board and no deed of conveyance presented in respect of the subject property.

6. Recorded the said submission, the petitioner is directed to present the sale deed in respect of the subject property for registration. On receipt of the same, the first respondent is directed to register and release the same if otherwise in order.

7. With the above directions, this writ petition is disposed of. Consequently, connected Miscellaneous petition is closed. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS-VIII)

// True Copy //

Sub Assistant Registrar

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To

- 1.The Sub Registrar,
Triplicane Sub Registration office,
Chennai.
- 2.The District Registrar,
Chennai Central,
Chennai.
- 3.The Inspector General of Registration,
Office of the Inspector General of Registration,
Santhome, Chennai.
- 4.Tamil Nadu Wakf Board,
Represented by Chief Executive Officer,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai 1.

+1cc to Mr.N.A.Nissar Ahmed, Advocate SR.No.60131

+1cc to Mr.V.Raghavachari, Advocate SR.No.59882

+1cc to the Government Pleader SR.No.60279

W.P.No.10576 of 2021
and W.M.P.No.11171 of 2021

PA(CO)
RVM(08/12/2021)