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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2021

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

WP.NO.11704 OF 2021

AND

W.M.P.NOS.12461 & 12462 OF 2021

1. N.Ponmarudharasan
2. P.Rajkumar Amudhan
3. S.Karpagam ... Petitioners

.Vs.

1. The Inspector General of Registration,
No.100, Santhome High Road,
Santhome,
Chennai - 600 028.
2. The Sub Registrar,
O/o.Sulur Sub-Registrar's Office,
Sulur Taluk,
Coimbatore District.
3. P.Arumugam @ Arusamy ... Respondents

PRAYER:-

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned proceedings Na.Ka.No.200/2020, dated 11.03.2021 issued by the second respondent and the consequential order of notification Na.Ka.No.200/2020 dated 24.07.2020 passed by the second respondent, quash the same and direct the second respondent register the pending 1.Document No.33 of 2020 of sale deed dated 20.06.2020 2.Document No.33 of 2020 of sale deed dated 20.06.2020 3.Document No.33 of 2020 of the sale deed dated 20.06.2020 executed between the petitioners relating to the subject matter lands bearing SF.No.405 of Sulur Taluk, Sulur Sub Registrar Office, Coimbatore District.



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For Petitioners : Mr.A.Kumar

For Respondents

For R1 & 2 : Mr.Yogesh Kannadasan
Special Government Pleader

ORDER

This writ petition is filed to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned proceedings Na.Ka.No.200/2020, dated 11.03.2021 issued by the second respondent and the consequential order of notification Na.Ka.No.200/2020 dated 24.07.2020 passed by the second respondent, quash the same and direct the second respondent to register the pending 1) Document No.33 of 2020 of sale deed dated 20.06.2020 2) Document No.33 of 2020 of sale deed dated 20.06.2020 3) Document No.33 of 2020 of the sale deed dated 20.06.2020 executed between the petitioners relating to the subject matter lands bearing SF.No.405 of Sulur Taluk, Sulur Sub Registrar Office, Coimbatore District.

2. Heard, Mr.A.Kumar, the learned counsel for the petitioners and Mr.Yogesh Kannadasan, Special Government Pleader appearing for the respondents 1 & 2.

3. The petitioners intended to purchase the land comprised in survey No.405 admeasuring 5.10 acres situated at Kannampalayam Town Panchayat, Sulur Taluk, Coimbatore from one, Aruchamy who has acquired the same by the registered sale deed dated 31.10.1988 from one, SS.Venkitaramanan by the registered sale deed vide document No.2105 of 1988. The petitioner's vendor was duly issued patta No.1152 for the subject property and on verification of the same, the petitioners intended to purchase the same. Accordingly, on payment of valid sale consideration, the third respondent executed sale deed on 19.06.2020 and presented for registration before the second respondent. On receipt of the same, the second respondent rejected by the impugned notice dated 11.03.2021 and directed the petitioners to obtain No Objection Certificate from HR&CE Department, since the land belongs to Arulmigu Thiruvenkatanadha Perumal, Arulmigu Vaidhiyanadhaswamy Thirukovil coming under the purview of the HR&CE Department and the sale deed is kept pending in pending document No.P33 of 2020.

4. Considering the above, the second respondent is directed to issue notice to the petitioner and the temple concerned i.e. Arulmigu Thiruvenkatanadha Perumal, Arulmigu Vaidhiyanadhaswamy Thirukovil, rep. by its Executive Officer and conduct enquiry



and, after giving them opportunity of hearing, pass orders either to register the sale deed executed on 19.06.2020 or to reject the same kept in pending document No.P33 of 2020, on merits and in accordance with law within a period of four weeks from the date of receipt of copy of this order as contemplated under Section 22-A of the Registration Act, 1908.

5. With the above direction, this writ petition is disposed of. Consequently, connected miscellaneous petitions are closed. No order as to costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector General of Registration,
No.100, Santhome High Road,
Santhome,
Chennai - 600 028.
2. The Sub Registrar,
O/o.Sulur Sub-Registrar's Office,
Sulur Taluk,
Coimbatore District.

+1cc to Mr.A.Kumar, Advocate, S.R.No.68981
+1cc to the Government Pleader, S.R.No.69521

W.P.NO.11704 OF 2021

KSM(CO)
PBS/12/01/2022