



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.04.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P. (MD) No. 4506 of 2021

N.Renganathan.

...Petitioner

Vs.

1.The Special Commissioner and Commissioner,
Hindu Religious and Charitable Endowment Department,
Chennai - 14.

2.The Joint Commissioner,
Sri Renganathaswamy Temple,
Hindu Religious and Charitable Endowment Department,
Srirangam,
Trichy.

3.The Sub Registrar,
Sub Registrar Office,
Srirangam,
Trichy.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the third respondent to register the Sale Deed dated 29.09.2009 pending on the file of the third respondent in pending Doc.No.P.134/2009 without insisting No Objection Certificate from the second respondent and release the same forthwith in considering the petitioner's representation dated 09.03.2020.

For Petitioner : Mr.M.Ajmalkhan
For R1 : Mr.K.P.Narayanakumar
Special Government Pleader
For R2 : Mr.M.Saravanan
For R3 : Mr.K.Sathyasingh
Additional Government Pleader

O R D E R

This Writ Petition has been filed for the issue of a Writ of Mandamus, directing the third respondent to register the Sale Deed, dated 29.09.2009, without insisting for No Objection Certificate from the second respondent.

2.The second respondent has filed a Counter affidavit in this case and a specific stand has been taken by denying the right and title of the petitioner.

3.Heard Mr.M.Ajmalkhan, the learned counsel appearing for the petitioner and Mr.K.P.Narayanakumar, the learned Special Government Pleader, Mr.M.Saravanan, the learned counsel and Mr.K.Sathyasingh,



the learned Additional Government Pleader appearing for the respondents 1,2 & 3 respectively.

4. In the present case, the document which was presented in the year 2009 has been resurrected in the year 2020, by directing the petitioner to obtain a No Objection Certificate from the second respondent. It is not known as to why the petitioner waited for nearly 11 years, without taking any action in this regard.

5. Now, that the second respondent has claimed right over the property, it is for the petitioner to go before the concerned Civil Court and seek for redressal. It will be too late in the day to direct the third respondent to conduct an enquiry and take a decision with regard to the registration of the Sale Deed. Except giving this liberty, no further orders can be passed in this Writ Petition.

6. This Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vrn

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

1. The Special Commissioner and Commissioner,
Hindu Religious and Charitable Endowment Department,
Chennai - 14.
2. The Joint Commissioner,
Sri Renganathaswamy Temple,
Hindu Religious and Charitable Endowment Department,
Srirangam,
Trichy.
3. The Sub Registrar,
Sub Registrar Office,
Srirangam,
Trichy.

+1 CC to M/s.M.SARAVANAN, Advocate (SR-16648[F] dated 20/04/2021)

Order made in

W.P. (MD)No.4506 of 2021

Dated 19.04.2021