



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD)No.8988 of 2021
(Through Video Conferencing)

K.S.Kothandaraja

... Petitioner

Vs.

1.The Sub Registrar,
Rajapalayam, Virudhunagar District.

2.The Assistant Commissioner,
Hindu Religious & Charitable Endowments Board,
Virudhunagar.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the 1st respondent to expedite the enquiry pending before him under section 22 A of the Tamil Nadu Registration Act by considering the petitioner's representation dated 26.02.2021 and 21.04.2021 and to register the petitioner's sale deed presented on the file of the 1st respondent.

For Petitioner :Mr.I.Velpradeep

For Respondents :Mr.K.P.Narayanakumar for R2
Special Government Pleader
Mr.K.Sathiya Singh for R1
Additional Government Pleader

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the first respondent to hold an enquiry based on the representation made by the petitioner on 21.04.2021 and to pass orders within the time limit fixed by this Court.

2.The case of the petitioner is that he is the owner of the subject property by virtue of a registered sale deed dated 05.04.2004. The petitioner wanted to deal with the said property and he presented the sale deed for registration before the first respondent and the first respondent, by communication dated 12.06.2017, refused to register the sale deed and directed the petitioner to get a no objection certificate from the concerned temple.

3.The petitioner challenged the communication of the first respondent in W.P.(MD) No.8826/2018 and this Court disposed of the writ petition, by an order dated 19.03.2019 and directed the first respondent to deal with the issue in accordance with the judgment of



this Court in **Sudha Ravi Kumar v. the Special Commissioner & Commissioner, H.R. & C.E. Department** reported in **2017 (3) CTC 135**. The petitioner thereafter made a representation before the first respondent on 21.04.2021. Since no enquiry was initiated by the first respondent, the present writ petition has been filed before this Court seeking for appropriate directions.

4. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the first respondent to act in accordance with the earlier order passed by this Court in W.P.No.8826/2018, after affording an opportunity to the petitioner and the concerned temple and take a decision with regard to the registration of the sale deed, within six weeks the date of receipt of a copy of this order.

5. The petitioner is directed to make a fresh representation to the first respondent along with all the relevant documents and also a copy of this order.

6. This writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(Records)

//True copy//

/ /2021
Sub Assistant Registrar

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 Sub Registrar,
Rajapalayam, Virudhunagar District

2.The Assistant Commissioner,
Hindu Religious & Charitable Endowments Board,
Virudhunagar.

+3 CC to THE SPECIAL GOVERNMENT PLEADER(SR-18363[F], 18377[F] & 18437[F]
dated 03/05/2021)

Order made in
W.P. (MD)No.8988 of 2021
30.04.2021

RR
SRS/24.05.2021/2P/6C

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