



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.11431 of 2021

and

W.M.P. (MD) .Nos.8935 to 8937 of 2021

WEB COPY

1.V.Ponnusamy

2.K.Sakthivel

...Petitioners

Vs.

1.The Joint Commissioner,
Hindu Religious Charitable Endowment Board,
Arulmigu Kalyana Venkata Ramasamy Thirukovil,
Thanthontrimalai,
Karur.

2.The Executive Officer,
Hindu Religious Charitable Endowment Board,
Arulmigu Kalyana Venkata Ramasamy Thirukovil,
Thanthontrimalai,
Karur.

3.The District Registrar,
Office of the District Registrar of Registrations,
Karur, Karur District.

4.The Sub-Registrar,
Velliyanai Sub-Registrar Office,
Velliyanai,
Karur District.

...Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to impugned order of the fourth respondent in AA.No.84/2021, dated 27.04.2021 and quash the same and consequently, register the document of the property belonging to the petitioner's lands in S.No.142/2 (9.42 acres), 144/1(5.26 acres) and 146/1(3.82 acres) (Total Extent of 18.5 acres) of the Emur Village of Karur District.

For Petitioners : Mr.S.Ramsundarvijayraj

For Respondents : Mr.M.Saravanan,
Standing Counsel for R1 & R2

Mr.M.Lingadurai
Government Advocate for R3 & R4



ORDER

This Writ Petition has been filed challenging the impugned order passed by the fourth respondent, dated 27.04.2021 and for a consequential direction to the fourth respondent to register the document presented by the petitioners.

2. Heard Mr.S.Ramsundarvijayraj, learned counsel appearing for the petitioners, Mr.M.Saravanan, learned Standing counsel appearing for the respondents 1 and 2 and Mr.M.Lingadurai, learned counsel appearing for the respondents 3 and 4.

3. In the considered view of this Court, the petitioners have an efficacious alternative remedy of appeal before the District Registrar. That has been made very clear even in the impugned order passed by the fourth respondent. The fourth respondent has afforded an opportunity to the petitioners and the order passed by the fourth respondent is well within his jurisdiction and therefore, this Court cannot entertain this writ petition. The petitioners have to necessarily avail the alternative remedy.

4. In view of the above, liberty is granted to the petitioners to file an appeal before the District Registrar within a period of two (2) weeks from the date of receipt of a copy of this order. Immediately, on filing of such an appeal, the District Registrar after affording opportunity to the petitioners and the respondent Temple shall pass final orders in the appeal within a period of eight (8) weeks thereafter.

5. The Writ Petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg

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 District Registrar,
Office of the District Registrar of Registrations,
Karur, Karur District.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Sub-Registrar,
Velliyanai Sub-Registrar Office,
Velliyanai,
Karur District.

WEB COPY

+1 CC to M/s.S.RAMASUNDAR VIJAY RAJ, Advocate (SR-22006[F] dated 09/07/2021)

+1 CC to M/s.M.SARAVANAN, Advocate (SR-21923[F] dated 09/07/2021)

+1 CC to M/s.SPL GP (SR-22093[F] dated 12/07/2021)

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RD(22.07.2021) 3P 6C