



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.12.2021

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P (MD)No.21557 of 2021

Saranya

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Board,
Madurai District.

3.The Executive Officer /Assistant Commissioner,
Arulmigu Subramania Swamy Thirukovil,
Thirupparankundram, Madurai.

4.The Tahsildar,
Thirupparankundram Taluk,
Madurai.

5.The Sub Registrar,
Thirupparankundram, Madurai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 5th respondent to act accordingly in registering any documents pertaining to the land belonging to the petitioner in R.S.No.136/1C in plot No.7 in an extent 2199.375 sq.ft situated at Vetrivinayagar Kovil Street, Ward No.7 of Thirupparankundram Village, after availing detailed report over the said property, within the time frame fixed by this Court.

For Petitioner	: Mr. T.Palanisamy
For R1,R2,R4 & R5	: Mr.S.Kameswaran, Government Advocate
For R3	: Mr.S.Manohar Standing Counsel

ORDER

I am deeply pained by the representation made, particularly,
the representation that the property of the temple can be very well



registered by the fifth respondent, after following two judgments of this Court passed by a learned Single Judge of this Court. It is apparent that the third respondent has subsisting interest over the property mentioned in the document presented for registration.

2.A duty is cast on the fifth respondent to ensure that whenever any document is presented for registration to take a decision either to register the document or not to register the document. If the document is to be registered, then necessary steps will have to be taken. If the fifth respondent / the Sub Registrar, Thirupparankundram, Madurai, decides not to register a document, reasons in writing must be given to the person who presents the document for registration. Let that procedure be followed. The Writ Petition stands dismissed. The petitioner may present the document before the fifth respondent. Let the fifth respondent take appropriate action in manner known to law. It is again reiterated that the writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

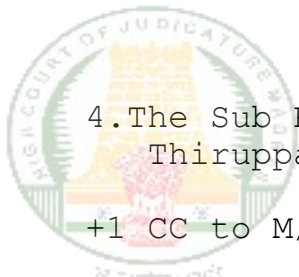
Sub Assistant Registrar(CS)

pnn

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 Collector,
Madurai District,
Madurai.
- 2.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Board,
Madurai District.
- 3.The Tahsildar,
Thirupparankundram Taluk,
Madurai.



4.The Sub Registrar,
Thirupparankundram, Madurai.

+1 CC to M/s.SPL GP (SR-37760[F] dated 08/12/2021)

+1 CC to M/s.S.MANO HAR, Advocate (SR-37715[F] dated 08/12/2021)

+1 CC to M/s.T.PALANISAMY, Advocate (SR-38030[F] dated 09/12/2021)

W.P (MD) No.21557 of 2021
07.12.2021

MJ(CO)

KB(21.12.2021) 3P 8C