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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.NO.919 OF 2022

S.Ganesh Babu

... Petitioner

-Vs-

1. The District Registrar,
Office of the District Registrar,
Neriperichal,
Tirupur - 641 602.
2. The Joint Sub Registrar -II,
Office of the Joint Registrar,
Combined Sub Registrar Office Complex,
Neriperichal,
Tirupur - 641 602.
3. The Executive Officer,
Arulmigu Vishwara Swamy and Veeraraghava Perumal Kovil,
Hindu Religious and Charitable Endorsement,
Tirupur - 641 604.

... Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents particularly second respondent to consider the petitioner's sale consideration representation dated 23.12.2021 and direct him to register the petitioner's sale deed document of the said property in S.No.191/8 bearing 6.32 cents as time fixed by this Honourable Court.

For Petitioner : Mr.R.K.Arjun Raj

For R1 and R2 : Mr.Yogesh Kannadasan
Special Government Pleader

For R3 : Mr.S.Yashwanth
Additional Government Pleader



ORDER

This Writ Petition has been filed for the issuance of Writ of Mandamus, directing the respondents particularly second respondent to consider the petitioner's sale consideration representation dated 23.12.2021 and direct him to register the petitioner's sale deed document of the said property in S.No.191/8 bearing 6.32 cents as time fixed by this Honourable Court.

2. Heard Mr.R.K.Arjun Raj, learned counsel appearing for the petitioner, Mr.Yogesh Kannadasan, learned Special Government Pleader appearing for the respondents 1 and 2 and Mr.S.Yashwanth, learned Additional Government Pleader appearing for the third respondent.

3. The case of the petitioner is that the property comprised in Survey No.191/8, bearing Door No.58, New Door No.58A, Block No.8, Muthu Kavundan Pudur, First Street, Tirupur to an extent of 6.32 cents owned by the petitioner. He purchased the said property by way of a registered sale deed on 06.05.2005 registered vide Document No.1867 of 2005. On 22.01.2018, the third respondent had issued notification in Document No.13 of 2018, that the subject land was given to "dhasi" who was serving social works in concern temples. Therefore, the petitioner is unable to deal with the property and submitted a representation before the second respondent to consider any deed of conveyance in respect of the subject property.

4. The learned counsel for the third respondent submitted that the said property belong to the third respondent along with other properties in Tiruppur and as such the third respondent submitted a protest petition on 20.12.2019 before the second respondent, thereby objecting the registration of any deed of conveyance in respect of the subject property along with other properties.

5. Considering the above, if any deed of conveyance is presented for registration by the petitioner in respect of the subject property, the second respondent is directed to issue notice to the petitioner and the third respondent to conduct enquiry under Section 22A of the Registration Act, 1908, after giving an opportunity of hearing to them, pass orders on merits and in accordance with law, either to register the same or to reject the same.



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6. With the above directions, this writ petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

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To

1. The District Registrar,
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Neriperichal,
Tirupur - 641 602.
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Office of the Joint Registrar,
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Hindu Religious and Charitable Endorsement,
Tirupur - 641 604.

+2ccs to Mr.R.K.Arjun Raj, Advocate, S.R.No.4828

+1cc to the Government Pleader, High Court, Madras, S.R.No.4953

W.P.No.919 of 2022

SS(CO)
RLP(16/02/2022)