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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P. No.19664 of 2021

Rukma Devi Bhattad

... Petitioner

-Vs-

1. The Sub Registrar,
District Registrar Cadre,
Triplicane,
Chennai - 600 014.

2. The Tamil Nadu Waqf Board,
Rep. by its Chief Executive Officer,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

... Respondents

Prayer :-

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the first respondent to accept and register the sale deed or any other deed submitted by the petitioner pertaining to the property to an extent of 830 sq.ft., bearing Door No.1-A, now numbered as 1, Burrah Sahib Street, Mount Road, Chennai, comprised in old survey No.329 part, Re-survey No.390/13 part, situated within the registration district of Central Madras, and Sub Registration District of Triplicane.

For Petitioner : Mr.M.Mohamed Riyaz

For Respondents

For R1 : Mr.Yogesh Kannadasan
Special Government Pleader

For R2 : Mr.K.Vaidhyanathan
For Mr.C.Shankar

ORDER

The Writ Petition has been filed to direct the first respondent to accept and register the sale deed or any other deed submitted by the petitioner pertaining to the property to



an extent of 830 sq.ft., bearing Door No.1-A, now numbered as 1, Burrah Sahib Street, Mount Road, Chennai, comprised in old survey No.329 part, Re-survey No.390/13 part, situated within the registration district of Central Madras, and Sub Registration District of Triplicane.

2. The case of the petitioner is that he owned property comprised in old survey No.329 part re-survey No.193, to an extent of 830 sq.ft., situated at Door No.1-A, re-numbered as 1, Burrah Sahib Street, Mount Road, Chennai. However the second respondent issued letter to the first respondent with the requests not to register any document in respect of the subject property, since it belongs to Waqf board. Therefore, the petitioner filed this Writ Petition with the above said prayer.

3. Heard Mr.M.Mohamed Riyaz, learned counsel appearing for the petitioner Mr.Yogesh Kannadasan, learned Additional Government Pleader appearing for the first respondent and Mr.K.Vaidhyanathan, learned counsel appearing for the second respondent.

4. Considering the above facts, if any document submitted by the petitioner, in respect of the subject property, the first respondent is directed to issue notice to the petitioner as well as the second respondents and conduct enquiry under Section 22A of the Registration Act and after giving opportunity of hearing to both parties, pass orders on merits and in accordance with law, either to register or reject the same.

5. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

rts

To

1. The Sub Registrar,
District Registrar Cadre,
Triplicane,
Chennai - 600 014.



2. The Chief Executive Officer,
Tamil Nadu Waqf Board,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

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+1cc to M/s.P.Gunaraj, Advocate, S.R.No.7663
+1cc to the Government Pleader, S.R.No.8041

W.P. No.19664 of 2021

KSM(CO)
CT(21/02/2022)