



W.P.No.20134 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2022

CORAM

THE HON'BLE **MR.JUSTICE C.SARAVANAN**

W.P.No.20134 of 2020

and

W.M.P.Nos.24854 & 24855 of 2020

1. S.P.Subramaniam
2. Kanniyammal

... Petitioners

Vs.

1. The Joint Commissioner,
Hindu Religious and Endowment Department,
Coimbatore – 641 018.
2. The Assistant Commissioner,
Hindu Religious and Endowment Department,
Erode.
3. The Executive Officer/Thakkar,
Arulmigu Sellandiyamman Thirukoil,
Perundurai,
Erode District.
4. The Sub Registrar,
Uthukuli,
Erode District.
5. The Tahsildar,
Perundurai Taluk,
Erode District.



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6. The Village Administrative Officer,
Sirukalanchi Village,
Perundurai Taluk,
Erode District.

7. Dr.Rajappan.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Certiorarified Mandamus to call for the records relating to the impugned letters dated 05.05.2016 and 09.08.2016 addressed by the third respondent to the fourth respondent and quash the same in so far as petitioner's lands measuring an extent of 5.35 Hectare situated in S.F.No.362/1,2,3 corresponding to Old S.F.No.132, 133 of Sirukalanchi Village, Perundurai Taluk, Erode District and consequently direct the fourth respondent to entertain and register the documents to be presented in respect of the same by considering first petitioner's representation dated 16.07.2019.

For Petitioners	: Mr.R.Prabakar
For Respondents	:
For R1 & R2	: Mr.K.Karthikeyan Government Advocate
For R3	: Mr.Ashok Kumar
For R4 to R6	: Mrs.C.Meera Arumugam Additional Government Pleader
For R7	: Mrs.Sudhana Vinodhini

ORDER

The petitioners have challenged the impugned communication of the third respondent, Executive Officer/Thakkar issued to the Sub-Registrar by including the property of the petitioner.



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2. Today, when the case was taken up for hearing, the learned counsel for the petitioners and the learned counsel for the third respondent on instructions submits that an internal enquiry was ordered and the Assistant Commissioner has given a report dated 10.06.2022, wherein it has been confirmed that prima facie the survey number including the petitioners property has been wrongly included.

3. However, the learned counsel for the respondent submits that the second respondent/The Assistant Commissioner, HR & CE Department, Erode has also requested the third respondent/The Executive Officer to get suitable approval from the Commissioner, HR & CE, Department.

4. It is further submitted that the petitioners were also called for an enquiry on 29.06.2022. They have also submitted their documents before the third respondent/ The Executive Officer and a suitable recommendation has been forwarded to the Commissioner, HR & CE Department, Chennai and appropriate orders will be passed by the Commissioner.



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5. Though the Commissioner, HR & CE Department, Chennai is not a party to the proceedings, the above submission of the learned counsel for the third respondent stands recorded.

6. Therefore, I am closing the writ petition for the present with liberty to the petitioner to work out his remedy in accordance with law, in case no approval is granted by the Commissioner.

7. The writ petition stands closed, in view of the above observations.
No costs. Consequently, connected miscellaneous petitions are closed.

04.07.2022

Index : Yes/No
Internet : Yes/No
Speaking/Non-speaking Order
rgm



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C.SARAVANAN, J.

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