



W.P.No.29538 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2022

CORAM :
THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Writ Petition No.29538 of 2022

M.Manoranjitham

... Petitioner

Vs.

1.The District Registrar,
District Registry,
No.102, State Bank Road,
Coimbatore – 18.

2.The Sub-Registrar,
Office of Sub-Registrar,
Old No.113, 114, New No.423,
Trichy Road, Sulur,
Coimbatore District – 641 402.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the 1st respondent to consider petitioner's appeal under section 72 of Tamil Nadu Registration Act, dated 24.08.2022, pending before the 1st respondents office and subsequently the 1st respondent direct to 2nd respondent to registered the petitioner property documents.

For Petitioner : Mr.K.Gangadaran



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For Respondents : Mr.C.Kathiravan,
Special Government Pleader

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ORDER

The petitioner has filed this petition seeking direction to the 1st respondent to consider petitioner's appeal under section 72 of Tamil Nadu Registration Act, dated 24.08.2022, pending before the 1st respondents office and subsequently the 1st respondent direct to 2nd respondent to registered the petitioner property documents.

2. The case of the petitioner is that the petitioner purchased a house site in Plot No.45, Kumar Nagar, bearing Patta No.88 comprised in S.No.235/3. This being the case, on 05.08.2013, the Assistant Commissioner, HR&CE has issued a letter to the respondents stating that the property in S.No.235 with total extent of 8.43 cent is belongs to the Kaniyur Aurlmigu Varadharajaperumal and Anumantharayasamy Temple. Thereafter, the Commissioner of HR&CE orally informed the residents of the subject property that the land is belonged to the third party and allowed them to register the property. Hence, the petitioner made an application before the



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second respondent for registering his property along with sufficient documents, however, the second respondent refused to register the same and returned the document on the ground that the said property is belongs to the temple. Therefore, the petitioner preferred an Appeal under Section 72 of Tamil Nadu Registration Act to accept his document for registration on 24.08.2022, however, till date, no action has been taken. Hence, this writ petition.

3. Though very many grounds have been raised in this Writ Petition, learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the respondents to consider the petitioner's appeal dated 24.08.2022 and pass orders on merits within a particular time frame to be fixed by this Court.

4. The learned Special Government Pleader appearing for the respondents has no objection for said order being passed.

5. Heard the learned counsel on either side and perused the materials



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placed on record.

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6. Taking into consideration the factual aspects of the matter, this Court without going into the merits of the case, directs respondents to consider the petitioner's appeal dated 24.08.2022 and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above observation and direction, this Writ Petition is disposed of. No costs.

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Index : Yes/No

Speaking Order : Yes/No

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M.DHANDAPANI,J.

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