



W.P.No.29129 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :04.11.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.29129 of 2022

Mr.Balasubramania Nadar

.. Petitioner

Vs.

1. The Sub-Registrar,
Office of the Sub-Registrar,
Bhuvanagiri Taluk,
Cuddalore District.
2. The Thasildar,
Bhuvanagiri Taluk,
Cuddalore District.
3. The Assistant commissioner
O/o The Assistant Commissioner,
Hindu Religious and Endowments Board,
Cuddalore District.
4. Sri Vasudeva perumal Temple
represented by its Executive Officer,
Vadakkuthittai Village,
Bhuvanagiri Taluk,



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Cuddalore District.

..Respondents

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PRAYER: This writ petition is filed under 226 of the Constitution of India, for issuance of Writ of Mandamus directing the respondent to delete in their office guide line register the name of Vasudeva Perumal Temple who is shown as owners of the property which is lawfully owned and possessed by the petitioner in Survey No.148/2 measuring to an extent of 0.57 cents, situated at Vadakkuthittai Village, Sub -Registrar Office Bhuvanegiri and issue guideline value certificate to the petitioner showing him as the owner of the property and pass orders.

For Petitioner : Mr.A.P.Surya Prakasam
For Respondents 1 and 2 : Mr. E. Vijay Anand
Additional Government Pleader

For Respondents 3 and 4 : Mr. U. Baranidharan
Addi Government Pleader

ORDER

This writ petition is filed for issuance of Writ of Mandamus directing the respondent to delete in their office guide line register the name of Vasudeva Perumal Temple who is shown as owners of the property which is lawfully owned and possessed by the petitioner in



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Survey No.148/2 measuring to an extent of 0.57 cents, situated at Vadakkuthittai Village, Sub -Registrar Office Bhuvanegiri and issue guideline value certificate to the petitioner showing him as the owner of the property.

2. The case of the petitioner is that the petitioner purchased the subject property and he was in possession and enjoyment of the same. Whiles he came to know that the said land was entered as temple land in the revenue records and to rectify the same the petitioner has earlier approached this Court in W.P.No.18013/2020 and this Court by an order dated 12.12.2020 directed the first respondent to conduct an enquiry and pass orders within a period of four weeks after hearing the representatives of the temple and the petitioner. However no orders have been passed till date. Hence the petitioner has filed this writ petition.

3. The learned counsel for the petitioner submits that this Court in W.P.No.18013/2020 by an order dated 12.12.2020 directed the first respondent to conduct an enquiry after hearing the representatives of the



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temple and the petitioner and pass orders. He further submits that pursuant to the order passed by this Court no records have been produced before the first respondent either by the 3rd respondent/Assistant Commissioner, Hindu religious and Endowments Board and the 4th respondent/Vasudeva Temple to prove that the said land is a temple land. He further submits that it would be suffice if this Court issues a direction to the first and second respondents to conduct an enquiry and pass orders within a stipulated time as fixed fixed by this Court. Hence prays this Court for appropriate orders.

4. Heard both sides and perused the materials available on record.

5. Considering the facts and circumstances of the case and the limited relief sought for by the petitioner, this Court, without going into the merits of the case, directs the first and second respondent to conduct enquiry based on the earlier order passed by this Court within a period of 6 weeks from the date of receipt of a copy of this order, after providing an opportunity of hearing to the petitioner as well as the temple



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representatives. No costs.

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6. With the above terms, this present writ petition is disposed of. No costs.

04.11.2022

smn

Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No

To

1. The Sub-Registrar,
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Bhuvanagiri Taluk,
Cuddalore District.
2. The Thasildar,
Bhuvanagiri Taluk,
Cuddalore District.
3. The Assistant commissioner
O/o The Assistant Commissioner,
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4. Sri Vasudeva perumal Temple



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represented by its Executive Officer,
Vadakkuthittai Village,
Bhuvanagiri Taluk,
Cuddalore District. |



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M.DHANDAPANI,J.

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