



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.28929 of 2019

P.Periyasamy

... Petitioner

vs.

1.The Sub-Registrar,
Ayyothiyapattinam,
Salem District.

2.The Assistant Commissioner,
Office of Assistant Commissioner of HR and CE,
Hindu Religious and Charitable Endowments Department,
Salem.

3.The Tester,
Hindu Religious and Charitable Endowments Department,
Salem. ... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to issue a Certificate of No objection to the petitioner herein by stating that the land comprised in SF.No.108/2 at Karumapuram Village, Salem District is not belongs to the 2nd respondent by considering the representation of the petitioner herein dated 13.04.2016 within an appropriate time.

For Petitioner : Mr.R.Nalliyappan

For R1 : Mr.P.Yogesh Kannadasan
Special Government Pleader

For R2 and R3 : Mr.T.Chezhan
Additional Government Pleader (HR & CE)

ORDER

This writ petition has been filed to issue a Writ of Mandamus, directing the 2nd respondent to issue a Certificate of No Objection to the petitioner herein by stating that the land comprised in SF.No.108/2 at Karumapuram Village, Salem District



is not belongs to the 2nd respondent by considering the representation of the petitioner herein dated 13.04.2016 within an appropriate time.

2. Considering the limited relief sought for in the petition, without expressing any opinion on merits of the writ petition, the 2nd respondent is directed to consider the representation of the petitioner dated 13.04.2016 for issuance of 'No Objection Certificate' to the petitioner in respect of the subject land, after issuance of notice to the petitioner and counter parties, if any and after giving opportunity of hearing to them, pass 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. It is made clear that if the copy of the representation of the petitioner dated 13.04.2016 is not available with the 2nd respondent, the petitioner is directed to furnish the copy of the said representation before the 2nd respondent.

3. With the above directions, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-VII)

//True copy//

Sub Assistant Registrar

dm

To

1.The Sub-Registrar,
Ayyothiyapattinam,
Salem District.

2.The Assistant Commissioner,
Office of Assistant Commissioner of HR and CE,
Hindu Religious and Charitable Endowments Department,
Salem.

3.The Tester,
Hindu Religious and Charitable Endowments Department,
Salem.

+1cc to Government Pleader SR.No.7409

W.P.No.28929 of 2019

MT(CO)
GMY(24/02/2022)