



WEB COPY



WP.No.31979 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2022

CORAM

THE HONOURABLE Mr. JUSTICE M.DHANDAPANI

WP.No.31979 of 2022

C.Muthu Sanjeevi

...

Petitioner

Vs

1. The Sub Registrar,
Mettupalayam,
Coimabtoire District.

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

... Respondents

Prayer :- Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first respondent to entertain and register the sale deed to be present by the petitioner in respect of the sale the petitioner's property comprised in S.No.687 to an extent of 1.84 acres bearing patta No.551 situated at Bellathi Village, Mettupalayam Taluk, Coimbatore District.

For Petitioner : M.Mohamed Riyaz

For Respondents : Mr. G.Krishna Raja, AGP



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ORDER

This petition has been filed seeking a direction to the first respondent to entertain and register the sale deed to be present by the petitioner in respect of the sale the petitioner's property comprised in S.No.687 to an extent of 1.84 acres bearing patta No.551 situated at Bellathi Village, Mettupalayam Taluk, Coimbatore District.

2. The case of the petitioner that he claim that he is the owner of the above property and the same was purchased vide sale deed dated 05.07.2007 registered as document No.7110/2007 in the office of the sub Registrar, Mettupalaym from one Abdul Rahiman Sahib and after purchase, the petitioner is in peaceful possession and enjoyment of the property without any interruption. In the year 2022, the petitioner has intended to dispose the said property and therefore, he approached the first respondent on 30.09.2022 to know the guideline value of the property. But, the first respondent had informed that the above said property cannot be subjected to any registration in view of the circular dated 21.02.2022 issued by the



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second respondent and thus he came to know that the second respondent had issued a letter to the first respondent, not to register any document in respect of the subject properties. Therefore, the petitioner made a representation to the second respondent dated 17.10.2022 to the first respondent to remove the petitioners property from the letter dated 21.02.2022 sent by the first respondent. However, the said representation is not considered so far and without having no other option, the petitioner has filed the present writ petition before this Court seeking an appropriate directions.

3. The learned counsel for the petitioner submitted that since the letter of the first respondent prohibits the second respondent from entertaining any documents for registration in respect of the subject property, the petitioner is unable to sell the property to meet out his financial needs. Therefore, this Court may issue a suitable direction to the respondents to consider the petitioners representation and pass appropriate orders within the time stipulated by this Court.



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

5. Considering the facts and circumstances of the case and in view of the limited request made by the learned counsel for the petitioner, this Court directs the petitioner to present the sale deed through online within a period of two weeks from the date of receipt of a copy of this order. Upon receipt of such representation, the first respondent shall consider the same and pass appropriate orders on merits and in accordance with law, within a period of four weeks, thereafter.

6. With the aforesaid direction, this Writ Petition stands disposed of. No costs.

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Rli

Index: Yes/No

Internet: Yes/No

Speaking/Non speaking



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M.DHANDAPANI, J.

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