



W.P(MD)No.9874 of 2013

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.10.2022

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.9874 of 2013

and

M.P(MD)No.1 of 2013

Arul Mighu Viswanathaswamy Tirukovil,
Represented by its Executive Officer,
Sivakasi-626 123,
Virudhunagar District.

... Petitioner

Vs.

- 1.The Secretary to the Government,
Department of Commercial Taxes
and Registration,
Fort St.George, Chennai-600 009.
- 2.The Inspector General of Registration,
No.100, Santhome High Road,
Chennai-600 028.
- 3.The Sub Registrar,
Thiruthangal-636 130,
Virudhunagar District.
- 4.The Joint Commissioner,
Hindu Religious and Charitable
Endowment Department,
Sivagangai-630 560.



W.P(MD)No.9874 of 2013

5.R.Sundari
6.B.Thayammal

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings in the letter, dated 13.02.2013, pertaining to the pending Document No.08/2013, dated 13.02.2013, on the file of the third respondent herein and to quash the same and direct the third respondent to reject the registration of the pending document No.8 of 2013, dated 13.02.2013, on his file.

For Petitioner : M/s.P.Mahendran

For R-1 to R-4 : M/s.S.R.A.Ramachandran
Additional Government Pleader

For R-5 & R-6 : No appearance

ORDER

The present Writ Petition has been filed challenging a communication issued by the third respondent herein to the fourth respondent, calling for explanation why a document presented by the fifth respondent should not be registered.

2. According to the petitioner Temple, the property is in dispute are specific endowment properties endowed in favour of the writ



W.P(MD)No.9874 of 2013

petitioner Temple. Hence, they have given objection to the third respondent herein, not to register any document relating to the said disputed survey number. When a document was presented by the fifth respondent herein, the third respondent, by way of the impugned order has called for certain explanation from the writ petitioner Temple. The said communication is under challenge in the present writ petition.

3. According to the learned Additional Government Pleader appearing for the third respondent herein, the petitioner Temple have submitted their explanation to the impugned communication. Accepting the said explanation, the third respondent had refused to register the document. That apart, the fifth respondent, who presented the document for registration had expressed his intention, not to register the document and hence, he has taken back the document. The said fact is recorded. No further orders are called for in the present writ petition. The writ petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

17.10.2022



W.P(MD)No.9874 of 2013

Index : Yes / No
Internet : Yes / No
btr

To

- 1.The Secretary to the Government,
Department of Commercial Taxes
and Registration,
Fort St.George, Chennai-600 009.
- 2.The Inspector General of Registration,
No.100, Santhome High Road,
Chennai-600 028.
- 3.The Sub Registrar,
Thiruthangal-636 130,
Virudhunagar District.
- 4.The Joint Commissioner,
Hindu Religious and Charitable
Endowment Department,
Sivagangai-630 560.



WEB COPY



W.P(MD)No.9874 of 2013

R.VIJAYAKUMAR, J.

btr

Order made in
W.P(MD)No.9874 of 2013

17.10.2022