



WEB COPY

W.P.No.2751 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.2751 of 2023

M/s. Shri Viroomal Issardas
Chugani Charitable Trust
Represented by its Managing Trustee
Mr.Kishore.B
Registered Office at Bhagwan Stores
No.176, NSC Bose Road
Chennai – 600 001.

... Petitioner

Vs.

1.Joint Sub Registrar II
District Registrar Cadre
Thousand Lights
No.6, KB Dasan Road, Seetammal Colony
MIG Colony, Alwarpet
Chennai – 600 018.

2.The Commissioner
Hindu Religious Endowment Board
Nungambakkam High Road
Chennai 600 034.

3.The Executive Officer
Arulmighu Agatheeswara Prasanna
Venkateswap Perumal Temple
No.11, North Mada Street
Nungambakkam, Chennai 600 034.

... Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records on the files of the respondent impugned check slip bearing No.RFL/Chennai Central Joint II/ 1/ 2023 dated 23.01.2023, refusing to register the Sale Deed dated 23.01.2023 and quash the same and consequently direct the respondent to register the Sale Deed or any other documents submitted by the petitioner in future for their property comprised in R.S. No.452/71 of Nungambakkam Village.

For Petitioner	: Mr.Jayesh.B.Dolia Senior Counsel For M/s.Aiyar and Dolia and Mr.V.P.Mohammed Moin
For R1	: Mr.T.Arun Kumar Additional Government Pleader
For R2 & R3	: Mr.N.R.R.Arun Natarajan Special Government Pleader [H.R.&.C.E]

ORDER

After arguing the matter elaborately both by the learned Senior Counsel appearing on behalf of the petitioner and the learned Special Government Pleader appearing on behalf of the respondents 2 and 3, this Court formed an opinion that the relief under Article 226 of the Constitution



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of India cannot be granted in view of the fact that the civil rights cannot be established in a writ proceedings.

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2. The learned Senior Counsel appearing on behalf of the petitioner at this juncture, on instructions, made a submission that the petitioner may be permitted to withdraw the writ petition for the purpose of working out their remedy.

3. Accordingly, permission is granted and the writ petition stands dismissed as withdrawn. No costs.

12.06.2023

Jeni
Index : Yes
Speaking order
Neutral Citation : Yes



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To

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S.M.SUBRAMANIAM, J.

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