



WEB COPY



WP.No.3449 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2023

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUIMAR

WP.No.3449 of 2023

Maddimchetty Venkata Satya Prasad

.. Petitioner

Versus

1.Union of India
Government of Union Territory of Puducherry
Rep by its Chief Secretary, Puducherry

2.The District Collector
Vazhudavoor, Pettaiyanchathiram
Puducherry – 605 009

3.The District Registrar
Kamaraj Salai, Sakthi Nagar
Saram, Puducherry – 605 013

4.The Sub Registrar
Office of the Sub Registrar
Yanam – 533 464
Union Territory of Puducherry

5.Maddimchetty Ziana

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Respondents 3 and 4 to consider the Petitioners representation dated 29.12.2022 forbearing the 4th respondent from registering any sale documents submitted by the 5th respondent for sale of the temple lands measuring an extent of H.00.A. 20.Ca. 60 comprised in T.S. No.A/9/8/5, R.S.No.108/5, C.S.No.80/4/4 pt., and land measuring an extent of H.00.A.17.Ca.80, in T.S.No.A/9/10/9, R.S.No.106/9,



WP.No.3449 of 2023

C.S.No.80/4/4 situated at Mettacur, Yanam, Puducherry State.

WEB COPY

For Petitioners : Mr.T.Dhanasekaran
For Respondents : Dr.B.Ramaswamy for R1 - R4
Additional Government Pleader (Puducherry)

ORDER

This writ petition is filed seeking for the issuance of Writ of Mandamus to direct the Respondents 3 and 4 to consider the Petitioners representation dated 29.12.2022 forbearing the 4th respondent from registering any sale documents submitted by the 5th respondent for sale of the temple lands measuring an extent of H.00.A. 20.Ca. 60 comprised in T.S. No.A/9/8/5, R.S.No.108/5, C.S.No.80/4/4 pt., and land measuring an extent of H.00.A.17.Ca.80, in T.S.No.A/9/10/9, R.S.No.106/9, C.S.No.80/4/4 situated at Mettacur, Yanam, Puducherry State.

2. Heard learned counsel for the petitioner and the learned Additional Government Pleader (Puducherry) appearing for the respondents 1 to 4 and perused the materials available on record.

3. It is the grievance of the writ petitioner that the fifth respondent is trying to obtain layout and alienate the subject temple land in favour of third parties by approaching the Town and Country Planning Authority, Yanam.



WP.No.3449 of 2023

Hence, the petitioner made a representation to the respondents to forbear the fourth respondent from registering any documents presented by the fifth respondent with regard to the subject temple land, which is pending without consideration till date. Hence, this petition.

4. Though the petitioner has sought relief to forbear the fifth respondent from registering any sale of agreement with regard to the subject temple land. This Court is of the view that such automatic order cannot be granted. It is for the respondent to hold enquiry and find out whether the subject property is a temple property as submitted by the petitioner. This Court directs the fourth respondent to take decisions after affording opportunity of personal hearing to the petitioner as well as the fifth respondent.

5. Accordingly, this writ petition stands disposed of. No costs.

08.02.2023

dhk

Internet : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No



WEB COPY



WP.No.3449 of 2023

N.SATHISH KUMAR, J.

dhk

To

1.The Chief Secretary, Puducherry
Union of India
Government of Union Territory of Puducherry

2.The District Collector
Vazhudavoor, Pettaiyanchathiram
Puducherry – 605 009

3.The District Registrar
Kamaraj Salai, Sakthi Nagar
Saram, Puducherry – 605 013

4.The Sub Registrar
Office of the Sub Registrar
Yanam – 533 464
Union Territory of Puducherry

W.P.No.3449 of 2023

08.02.2023