



WEB COPY

W.P.No.14887 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.14887 of 2014

N.Murugan

... Petitioner

Vs.

1.District Registrar
Villupuram District, Villupuram.

2.The Sub Registrar
Valavanoor, Villupuram District.

3.The Tamil Nadu Wakf Board
Represented by its Chief
Executive Officer
No.1, Jaffer Syrang Street
Vallal Seethakathi Nagar
Chennai – 600 001.

... Respondents

[R3 Impleaded as per order dated 14.11.2014 in
M.P.No.1 of 2014 in W.P.No.14887 of 2014]

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the Impugned Order passed by the 2nd respondent proceedings Nil dated 05.06.2014 and to quash the same, consequently direct the 2nd respondent to register the sale deed dated 05.06.2014 presented by the petitioner forthwith.



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For Petitioner	: Mr.C.Prabakaran
For R1 & R2	: Mr.D.Ravichander Special Government Pleader
For R3	: Mr.Mohammed Rayaz Ali

ORDER

The Memo issued by the Sub Registrar declining to register the sale deed presented by the writ petitioner is under challenge in the present writ petition.

2. The petitioner states that he is the absolute owner of the subject property and presented a sale deed for registration under the provisions of the Registration Act. The Sub Registrar has declined to register the document on the ground that there was an objection letter from the Tamil Nadu Wakf Board.

3. Regarding objections raised for registration of document Section 22 (A) (i) (iv) of the Registration Act, 1908 states as follows:

22.A.....

(1).....



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(i).....

(ii).....

(iii).....

(iv) *of Wakfs which are under the
superintendence of the Tamil Nadu Wakf Board
established under the Wakf Act, 1995 (Central Act
43 of 1995)”.*

4. In view of the above Section 22-A (1)(iv) of the Act, the Registering Authority is duty bound to reject the registration, if there is an objection from the Wakf Board. In the present case, there is an objection from the Wakf Board, therefore the dispute exists and the petitioner has to approach the competent authorities for the purpose of resolving the issues.

5. With this liberty this Writ Petition stands disposed of. No costs.

05.06.2023

Jeni
Index : Yes
Speaking order
Neutral Citation : Yes



To

1.The District Registrar
Villupuram District, Villupuram.

2.The Sub Registrar
Valavanoor, Villupuram District.

3.The Chief Executive Officer
The Tamil Nadu Wakf Board
No.1, Jaffer Syrang Street
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S.M.SUBRAMANIAM, J.

Jeni

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