



W.P(MD)No.730 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 15.12.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.730 of 2023

M.Ramaraj

... Petitioner

Vs.

1.The District Registrar,
Virudhunagar District,
Virudhunagar.

2.The Sub Registrar,
Sub Registrar Office,
Rajapalayam,
Virudhunagar District.

3.The Assistant Commissioner,
Hindu Religious & Charitable
Endowment Board,
Virudhunagar.

4.Fit Person / Thakkar,
Arulmigu Vettai Venkatesa Perumal Thirukovil,
Pudhupalayam,
Rajapalayam Taluk,
Virudhunagar District.

***(R.4 is impleaded vide order of
this Court dated 17.08.2023)***

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records in pursuance of the impugned Refusal Check Slip in Refusal No. RFL/Rajapalayam/28/2022 dated 09.12.2022 under section 22(A)(ii) of Tamil Nadu Registration Act on the file of the second respondent herein and quash the same as illegal and consequently direct the second respondent to register the draft deed submitted by the petitioner in TP/138657365/2022 dated 09.12.2022 within the time stipulated by this Court by considering the petitioner's representation to the first respondent dated 12.12.2022.

For Petitioner : Mr.S.Selvakumar

For Respondents : Mr.K.Balasubramani
Special Government Pleader
for R.1 to R.3

Mr.V.R.Shanmuganathan for R.4

ORDER

Heard both sides.

2.The petitioner wants to mortgage the petition mentioned lands and raise loan. When the mortgage deed was presented, the registering



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authority declined to register the same by citing the objection received from the fourth respondent. To that effect, the refusal check slip was issued.

3.I relegate the parties to go before the first respondent. The petitioner is permitted to file a representation to the first respondent. The first respondent will be governed by the directions issued by the Hon'ble Division Bench in the decision reported in **2017 (3) CTC 135 (Sudha Ravi Kumar & Others Vs. The Special Commissioner and Commissioner, Hindu Religious and Charitable Endowments Department and Others)** and dispose of the matter. The next course of action to be taken by the parties concerned will depend upon the order to be passed by the first respondent. The exercise of the first respondent shall be completed within a period of ten weeks from the date of receipt of representation from the writ petitioner. I make it clear that I have not gone into the merits of the matter.



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4.This writ petition is disposed of accordingly. There shall be no order as to costs.

15.12.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
MGA

Note: Issue order copy on 19.12.2023.

To

- 1.The District Registrar,
Virudhunagar District,
Virudhunagar.
- 2.The Sub Registrar,
Sub Registrar Office,
Rajapalayam,
Virudhunagar District.
- 3.The Assistant Commissioner,
Hindu Religious & Charitable
Endowment Board,
Virudhunagar.



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G.R.SWAMINATHAN, J.

MGA

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