



W.P(MD)No.7713 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.07.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.7713 of 2014
and
M.P.(MD)No.1 of 2014

A.Selvam

... Petitioner

Vs.

1.The Deputy Inspector General of Registration,
Registration Department,
Madurai – 625 001.

2.The District Registrar (Administration),
Mannar Thirumalainaickkar Mahal,
Palace Road, Madurai – 625 001.

3.The Joint Sub-Registrar No.IV,
T.P.K.Road, Palanganathm,
Madurai – 625 003.

... 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 of the 3rd respondent in No.148/2014 dated 28.03.2014 and quash the same illegal and consequently direct the 3rd respondent to desist from registering any sale deed or conveyance with regard to agricultural Nanja Land in an extent of 35cents comprised in



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R.S.No.356/A3, situated at Madakulam Village, Madurai South Taluk,
Madurai District.

For Petitioner : Mr.R.R.Kannan

For Respondents : Mrs.K.Chirsty Theboral,
Addl. Government Pleader.

ORDER

Heard the learned counsel on either side.

2.The petitioner challenges the impugned communication issued by the third respondent rejecting the petitioner's request not to register any document in respect of the petition mentioned lands.

3.The learned counsel for the petitioner submitted that the lands in question have been endowed for a charitable purpose and that therefore, such lands cannot be alienated.

4.The petitioner is in occupation of the trust lands. To my repeated query, as to the lease amount paid by the petitioner, no proper response is



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forthcoming. In the representation dated 24.03.2014, the petitioner's complaint is that the trustee is alienating the lands by illegally and suppressing the existing leasehold right of the petitioner. Thus, the object of the writ petitioner is not to save or protect the trust lands. He only wants to protect his rights as a cultivating tenant.

5. Even if the lands in question change hands, the petitioner's rights as that of cultivating tenant is safe. If there is any alienation contrary to the terms of endowment, the beneficiary or any interested person can always move the jurisdictional Civil Court for nullifying the transaction.

6. In this view of the matter, it is not necessary to interfere with the impugned communication. The writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

07.07.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-

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G.R.SWAMINATHAN, J.

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