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W.P.No.11142 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06..06..2024

Coram

THE HON'BLE MR JUSTICE N.SATHISH KUMAR

Writ Petition No.11142 of 2024

Mohamed Ishaik

..... Petitioner

-Versus-

- 1.The District Collector,
Chennai District,
Rajaji Salai, Chennai 600 001.
- 2.The Tahsildar,
Purasaivakkam Taluk,
Chennai 600 007.
- 3.The Commissioner,
Hindu Religious and Charitable Endowments,
Nungambakkam High Road,
Chennai 600 034.

..... Respondents

Petition filed under Article 226 of The Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to consider the representation dated 12.02.2024.



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For Petitioner(s) : Mr.A.Syed Kaleesha

*For Respondent (s) : Mr.G.Ameedius,
Government Advocate
for RR1 & 2*

*Mr.K.Karthikeyan,
Government Advocate (HR & CE)
for R3*

ORDER

This writ petition has been filed seeking a writ in the nature of mandamus directing the respondents to consider the representation dated 12.02.2024 made by the petitioner seeking to clear the ambiguity with regard to the term “exempted temple land”.

2. The case of the petitioner is that he is the joint owner of the property being all that house, ground and premises bearing Door No.23, Mosque Street, Pulianthope, Chennai 600012, Veppery village bearing O.S.No.357, 367, R.S.No.1736/1 and R.S.No.1736/20 (as per patta R.S.No.1736/269, Block No.39, C.C.No.684, admeasuring 1304 square feet and lying in the Registration District of Chennai Central and Sub Registration District of Periamet. Though his name is entered in the Permanent Land Register in respect of the subject property, in one of the clauses, it is stated that the land is exempted temple land. Based on such classification, the Sub Registrar, Periamet refused to register the document presented by him and directed him to seek clarification



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from the Tahsildar. Though he made an application in this regard, there is no response from the 3rd respondent. Hence, this writ petition.

3. Heard both sides.

4. Considering the limited nature of relief sought in the writ petition and also the fact that issue is also required to be clarified, let the 2nd respondent-Tahsildar issue clarification as to whether the entry 'exempted temple land' (கோயில் நிலங்கள் விலக்களிக்கப்பட்டவை) denotes any right over any temple property. The 2nd respondent shall give suitable reply to the petitioner within a period of one month from the date of receipt of a copy of this order.

This writ petition is disposed of accordingly with the above directions. No costs.

Index : yes / no
Neutral Citation : yes / no
Speaking / Non Speaking Order
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To

- 1.The District Collector, Chennai District, Rajaji Salai, Chennai 600 001.
- 2.The Tahsildar, Purasaivakkam Taluk, Chennai 600 007.
- 3.The Commissioner, Hindu Religious and Charitable Endowments, Nungambakkam High Road, Chennai 600 034.



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N.SATHISH KUMAR.J.,

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