



WEB COPY

W.P.No.12317 of 2021



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.12317 of 2021

1.N.Seenivasan
2.Dhanalakshmi
3.J.Bhaskaran
4.J.Ravi

...

Petitioners

versus

1.The Sub Registrar,
Office of the Sub Registrar,
Pammal, Chennai - 600 075.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowments
(HR &CE),
No.119, Uthamar Gandhi Road,
Chennai - 600 034.

...

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records leading to order bearing No.RFL/Pammal/12/2020 dated 31.10.2020 on the file of the first respondent and quash the same and consequently to direct the first respondent to register the sale deed dated 31.10.2020 presented by the petitioners within a time to be fixed by this Court.



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For Petitioners : Mr.B.Arvind Srevatsa
For Respondent No.1 : Mr.B.Vijay
Additional Government Pleader
For Respondent No.2 : Mr.K.Karthikeyan
Government Advocate (HR&CE)

ORDER

This Writ Petition has been filed challenging the refusal slip dated 31.10.2020 issued by the first respondent, whereby he refused to register the sale deed presented by the petitioners for registration.

2. It is the case of the petitioners that when they presented the sale deed for registration, the same has been refused to be registered on the ground that the petitioners were in possession of the property and had title to it.

3. I have perused the entire materials. Even the document, namely the patta relied, in the typed set indicates the name of the property belongs to a temple. The respondents have produced a copy of the lease agreement executed in the year 1978 wherein some of the ancestors referred to in the sale document on behalf of the temple executed the lease deed, wherein



admissions were made in the document to the effect that the property belongs to the temple.

4. Such being the position, let the petitioners establish their rights in a competent civil court. Accordingly, at this stage, as the title has not been clearly established and the very admission of the petitioners ancestors as to title of temple in earlier document, this Court is of the view that it is for the petitioners to establish their title in a competent civil court and then deal with the property.

5. Accordingly, this Writ Petition is dismissed. No costs.

25.06.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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N.SATHISH KUMAR, J.

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To

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