



WEB COPY



WP.No.11471 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.11471 of 2024

P.Palani

.. Petitioner

Versus

1. The Sub Registrar,
Office of the SRO Perambakkam,
Thiruvallur District.

2. The Inspector General of Registration,
Office of the Inspector General of Registration,
Chennai 600 028.

3. Tamilnadu Wakf Board,
7C Santhome High Road,
Kamarajar Salai,
Mylapore Chennai 4.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second respondent to dispose of the representation dated 05.04.2024 pending on the file of the second respondent.

For Petitioner : Mr.M.Jaikumar

For R1 & 2 : Mr.P.Anandhakumar
Government Advocate



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For R3 : Mr. C.Shankar

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ORDER

By consent of both sides, the Writ Petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed for a direction to the second respondent to dispose of the representation dated 05.04.2024.

3. It is the case of the petitioner that he is the absolute owner of the property located at No.126 Mappedu Village, Patta bearing No.406, Survey No.239/11 Part, with a total extent of 4144 sq.ft. acquired through a Sale deed dated 25.02.2011 registered under document no.604 of 2011 at SRO Perambakkam. The petitioner possesses the Patta, Adangal & Chitta for the said property confirming the land's private ownership. It is the grievance of the petitioner that while attempting to register a Settlement Deed in favour of his son, the first respondent demanded a No Objection Certificate from the Tamil Nadu Wakf Board, stating that the land belongs to them. Despite previous registrations for the same property, the first respondent refused to consider the representation of the petitioner dated 05.04.2024, citing Wakf Board possession. Hence, he seeks a direction to the first respondent to dispose of the



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representation of the petitioner.

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4. Heard learned counsel for the petitioner, learned Government Advocate appearing for the respondents 1 & 2 as well as the learned counsel appearing for the third respondent and perused the materials available on record.

5. At the outset, this Court is of the view that when the document is not even presented for registration, mere direction to the Sub-Registrar to consider the representation does not arise. The petitioner shall present the document for registration. In the event any order is passed, then the petitioner is at liberty to challenge the same.

6. Accordingly, the Writ Petition is disposed of. No costs.

26.04.2024

gsa

Index : Yes/No

Internet : Yes/No



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N. SATHISH KUMAR, J.

gsa

To,

1. The Sub Registrar,
Office of the SRO Perambakkam,
Thiruvallur District.
2. The Inspector General of Registration,
Office of the Inspector General of Registration,
Chennai 600 028.
3. Tamilnadu Wakf Board,
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