



WEB COPY



W.P.No.17486 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.12.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.No.17486 of 2024
W.M.P.No.19274 of 2024

P.Senthil

...Petitioner

Vs

1.The Joint – I Sub Registrar,
Ariyalur,
Ariyalur District.

2.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department.
Ariyalur

...Respondents

PRAYER :-Writ Petition filed under Article 226 of the Constitution of India, pleased to issue Writ of Mandamus, calling for the records pertaining to the impugned proceedings of the 1st Respondent dated 09.05.2024 having reference Na.Ka.No 601 / 2024 and quash the same and consequently direct the Respondents not to prevent registration of any documents by the petitioner in respect of his 14 Acres of land located in S.F. No.358/7B Walaja Nagaram village, Ariyalur Taluk.



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For Petitioner : Mr.R.S.Selvam

For Respondents : Mr.B.Vijay (For R1)
Additional Government Pleader
Mr.S.Ravichandran (For R2)
Additional Government Pleader

ORDER

The present Writ Petition has been filed to quash the impugned proceedings of the 1st Respondent dated 09.05.2024 having reference Na.Ka.No 601 / 2024 and consequently direct the Respondents not to prevent registration of any documents by the petitioner in respect of his 14 Acres of land located in S.F. No.358/7B Walaja Nagaram village, Ariyalur Taluk.

2.Considering the fact that even the second respondent has submitted in their counter that the petitioner and the temple hold a joint patta in respect of the property in survey No.358/7. It is clear that the petitioner owns property in the said survey number. The petitioner has purchased the property through Court auction sale on 07.06.2006 and from then he has been in possession and enjoyment of the said property and in that capacity, he seeks to sell the property.



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3.Considering the fact that separate patta has also been issued in the petitioner's name, taking account his possession of the property, the present Writ Petition is allowed. Therefore, the impugned order dated 09.05.2024 in Na.Ka.No.601/2024 is set aside and the respondents are directed to register the document within a period of two weeks from the date of receipt of copy of this order. There is no necessity for obtaining no objection certificate. The document shall be registered when present.

4.Accordingly, the Writ Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

20.12.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non Speaking Order
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To

1.The Joint – I Sub Registrar,
Ariyalur,
Ariyalur District.

2.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department.
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