



WEB COPY

W.P.No.22171 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.22171 of 2024

V.Sithammal

...

Petitioner

versus

1.The District Collector,
Collectorate Complex,
Fort Main Road,
Salem - 636 001.

2.The Sub-Registrar,
Jalakandapuram,
Edappadi Taluk,
Salem District.

3.The Joint Commissioner,
HR&CE, Salem.

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Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the second respondent to register documents such as Sale Agreement, Sale Deed, Mortgage Deed and other deeds of conveyance with respect to the lands comprised in S.No.507, Iruppali Village, Edappadi Taluk, Salem District, as and when executed and presented either by the petitioner or her agent for registration after



following the procedure prescribed for registration of documents under the Registration Act and the Tamil Nadu Registration Rules.

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For Petitioner	:	Mr.S.Santosh
For Respondent No.1	:	Mr.G.Ameedius Government Advocate
For Respondent No.2	:	Mr.Stalin Abhimanyu Additional Government Pleader
For Respondent No.3	:	Mr.N.R.R.Arun Natarajan Special Government Pleader (HR&CE)

ORDER

By consent of both sides, this Writ Petition is disposed of at the stage of admission itself.

2. This Writ Petition is filed to direct the second respondent to register the documents such as Sale Agreement, Sale Deed, Mortgage Deed and other deeds of conveyance with respect to the lands comprised in S.No.507, Iruppali Village, Edappadi Taluk, Salem District, as and when executed and presented either by the petitioner or her agent for registration after following the procedure prescribed for registration of documents under the Registration Act and the Tamil Nadu Registration Rules.



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3. Heard the learned counsel for the petitioner, learned Government Advocate for the first respondent, learned Additional Government Pleader for the second respondent, learned Special Government Pleader (HR&CE) for the third respondent and perused the materials available on record.

4. It is the case of the writ petitioner that whenever the documents presented in respect of Survey No.507, the authorities are not entertaining the documents, citing the notice issued by the Collector stating that the subject property belongs to the temple. Hence, she seeks a direction.

5. Such a direction cannot be issued mechanically. The petitioner has to present the documents. On such presentation, the respondent is directed to conduct enquiry as to whether the property sought to be registered in the temple property or not after giving a proper opportunity to the petitioner as well as the temple authorities and pass suitable orders on merits and in accordance with law within a period of two months from the date of receipt of a copy of this order.



6. With the above direction, this Writ Petition is disposed of. No costs.

01.08.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

sri

To

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N.SATHISH KUMAR, J.

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