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W.P.No.28467 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2024

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THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.28467 of 2024

C.Santhosh

... Petitioner

VS.

1.The Inspector General of Registration,
No.100, Santhome High Road,
Mandavelipakkam,
Raja Annamalaipuram,
Chennai – 600 028.

2.The District Registrar, (Administration)
O/o. the District Registrar,
Dharmapuri and District.

3.The Revenue Divisional Officer,
Dharmapuri, Dharmapuri District.

4.The Sub Registrar,
Joint 2 Sub Registrar Office,
Dharmapuri,
Dharmapuri District.

5.The Assistant Commissioner,
HR & CE, Dharmapuri,
Dharmapuri District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 18.04.2024 and thereby direct the



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respondents 2 and 4 to make necessary correction and remove the classification of the land in the name of HR & CE Department in Old Survey No.130, New Survey No.14/1 and 14/2, Block No.16, Annasagaram Village, Ward – D, Dharmapuri Town, Dharmapuri District within a stipulated period of time.

For Petitioner : Mr.B.Gopalakrishnan

For R1 to R4 : Mr.M.Shahjahan
Special Government Pleader

For R5 : Mr.K.Karthikeyan
Government Advocate (HR & CE)

ORDER

By consent of both the learned counsel appearing for the petitioner as well as respondents, this writ petition is disposed of at the admission stage itself.

2. The petitioner herein seeks a direction to the respondents to consider his representation dated 18.04.2024 seeking deletion of entry in the guideline register maintained by the respondents 2 and 4 pertains to the property situated in Old Survey No.130, New Survey Nos.14/1 and 14/2, Block No.16, Annasagaram Village, Ward – D, Dharmapuri Town, Dharmapuri District, within the time fixed by this Court.



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3. According to the petitioner, the above mentioned property belonged to the petitioner's father originally under a registered Partition Deed dated 03.05.1985. In the earlier civil proceedings, the title of the petitioner's predecessor-in-interest had been declared. In the guideline register maintained by the respondents 2 and 4, the property is wrongly classified as Hindu Religious and Endowment Board Land. Therefore, the petitioner submitted a representation before the respondents 2 and 4 on 18.04.2024 seeking correction in the classification. The said representation has not been considered by the respondents 2 and 4 till date. Hence, the petitioner is before this Court.

4. Mr.M.Shahjahan, learned Special Government Pleader takes notice for the respondents 1 to 4 and Mr.K.Karthikeyan, learned Government Advocate (HR and CE) takes notice for the 5th respondent.

5. The learned Government Advocate (HR and CE) appearing for the 5th respondent, on written instructions, would submit that as per the Resurvey and Resettlement Register of the Village of Annasagaram, the property in Old Survey No.130, New Survey Nos.14/1 and 14/2, Block



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No.16 has been entered in the name of the Temple. Therefore, Venkataramanaswamy Temple, which is under the control of the 5th respondent, is the owner of the property.

6. In view of the said stand taken by the 5th respondent, without going into the merits of the claim made by the petitioner and 5th respondent, this Court is inclined to direct the 2nd respondent to consider the representation of the petitioner dated 18.04.2024 and pass final orders on its own merit and in accordance with law, within a period of eight weeks from the date of receipt of copy of this order, after affording opportunity to the petitioner, 5th respondent and concerned Temple namely Executive Officer, Arulmighu Prasanna Venkataramanaswamy Temple, Kadaiveethi, Dharmapuri Nagar, Taluk and District.

7. With the above direction, the Writ Petition stands disposed of. No costs.

30.09.2024

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
dm



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S.SOUNTHAR, J.

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