



W.P.No.1574 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2024

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THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.1574 of 2024

Y.Mohamed Jaffar

... Petitioner

versus

- 1.The Inspector General of Registration,
No.100, Santhome High Road,
Mandaveli – Chennai 600 028.
- 2.The District Registrar,
Chennai Central,
Triplicane, Chennai – 600 005.
- 3.The Sub Registrar,
Periamet, Chennai – 600 003.
- 4.The Tahsildar,
Purasaivakkam, Chennai -60 007.
- 5.The Commissioner,
Hindu Religious and Charitable Endowments,
Nungambakkam High Road,
Chennai – 600 034.

.....Respondents



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Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the first respondent to dispose of the petitioner's appeal dated 29.11.2023.

For Petitioner : Mr.A.Syed Kaleesha

For Respondents : Mr.R.U.Dinesh Rajkumar
Additional Government Pleader for R1 to R4

Mr.N.R.R.Arun Natarajan
Special Government Pleader (HR & CE)
for R5

ORDER

Mr.R.U.Dinesh Rajkumar, learned Additional Government Pleader accepts notice for respondents 1 to 4 and Mr.N.R.R.Arun Natarajan, learned Special Government Pleader (HR & CE) accepts notice for the fifth respondent. With the consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed seeking for issuance of a writ of mandamus, directing the first respondent to dispose of the petitioner's representation dated 29.11.2023.



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3. The learned counsel for the petitioner submitted that the petitioner is in possession and enjoyment of the subject properties from the date of purchase. The Tahsildar, Purasaivakkam Taluk has also issued Extract from Town Survey Land Register (Patta) in favour of the petitioner in respect of the subject properties. In the above said Extract there is a classification of land clause, in which it has been mentioned that "Exempted from temple lands". While so, the petitioner presented the sale deed before this third respondent herein for registration, however, the third respondent refused to register the same and passed the impugned refusal check slip dated 23.11.2023 directing the petitioner to produce the Sale Deed after getting 'No Objection Certificate' from the Tahsildar as well as the Hindu Religious and Charitable Endowments Department, as in the land classification clause in Patta, it is mentioned as 'temple lands are exempted'. While so, the petitioner made representations to the respondents 4 and 5 herein for issuance of 'No Objection Certificate', but they refused to give 'No objection Certificate'. He further submitted that some Sale Deeds had already been registered in respect of very same land and Extract from Town Survey Land Register (Patta) had been issued by the concerned Revenue



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Authority accepting the alienation by virtue of Sale Deeds. Hence, the petitioner has given a representation to the respondents herein on 29.11.2023. Since there was no response from the respondents, the present writ petition has been filed.

4. Heard both sides and perused the materials available on record.

5. On a perusal of the records, it is seen that the petitioner has not produced any documents to prove that his land is exempted from temple lands and that the Extract from Town Survey Land Register (Patta) is in his favour in respect of the subject property. Further, it is seen from the documents, based on which the petitioner claims Patta, that it is not a Patta but it is only Adangal, in which his name is mentioned along with others.

6. It is a settled proposition of law that the revenue authorities will issue Patta only after satisfying themselves that the person concerned has got title in respect of his property. Adangal only shows the person who is cultivating land and always the owner of the property need not be a



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cultivator. If the owner cultivates the land, Adangal would show the owner of the land as well as the cultivator in his name. If the land is cultivated by some other person, the person who is in possession, for the purpose of cultivating that land would be mentioned in Adangal so also the name of the crop. As already stated, in the case on hand, the documents in Page Nos.39 and 57 annexed in the typed set of papers are not Patta standing in the name of the petitioner and others, but they are only Adangal Extracts.

7. Therefore, this Court does not find any irregularity or infirmity in the impugned refusal check slip issued by the third respondent herein. Therefore, this Writ Petition is dismissed. However, the petitioner is at liberty to work out his remedy in the manner known to law with regard to the establishment of his title of his vendor. There shall be no order as to costs.

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Index: Yes/No
Speaking Order : Yes/No
Neutral Citation Case : Yes/No
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WEB COPY

To

- 1.The Inspector General of Registration,
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P.VELMURUGAN, J.

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