



WP.No.39069 of 2024

In the High Court of Judicature at Madras

Dated : 19.12.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.39069 of 2024

M/c.VC Green Energy Pvt.Ltd.,
rep.by Managing Director
Mr.Vasanth D.Ramachandran

...Petitioner

Vs

The Sub-Registrar, Kaniyur
Sankaramnallur North,
Tirupur-642103.

...Respondent

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for records of the impugned Refusal Check Slips bearing Nos.RFL/Kaniyur/35/2024 and RFL/Kaniyur/36/2024 dated 11.12.2024 respectively, quash the same consequently to direct the respondent to register the sale deeds 20.11.2024 and 11.12.2024 executed by the petitioner.

For Petitioner : Mr.S.Dinuprashanth
For Respondent : Mr.C.Sathish, GA

ORDER

Challenging the check slips issued by the respondent refusing to



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register the sale deeds dated 20.11.2024 and 11.12.2024 presented by the petitioner and to issue a consequential direction to the respondent to register the same, the petitioner is before this Court.

2. Heard the learned counsel for the petitioner and the learned Government Advocate accepting notice for the respondent.

3. The case of the petitioner is as follows :

The petitioner purchased the lands in S.Nos.386/2,386/3, 386/4, 384/6, 384/4, 384/5A, 386/4, 386/5 and 384/5B from various private individuals under several sale deeds. Ever since the date of purchase, they became the absolute owners of the said properties. In order to liquidate the assets for other investment purposes, the petitioner entered into a sale agreement with one M/s.Lucid Renewables Private Limited in respect of the said properties. Pursuant to that, the petitioner executed a sale deed dated 20.11.2024 in favour of the said M/s.Lucid Renewables Private Limited and another sale deed dated 11.12.2024 in favour of one M/s.Jayachandra Textiles. But, when the said sale deeds were presented by the petitioner for registration, the respondent issued the impugned check slips on the ground that an objection has been received from the Executive Officer of Thandaveswarar and Kalayana Varadharajaperumal Thirukovilgal.,



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Kozhumam, Madathukulam Taluk, Tirupur District. Further, the respondent insisted upon the petitioner to obtain a no objection certificate from the Executive Officer of the said temple. Hence the writ petition.

4. This Court carefully considered the submissions of the learned counsel on either side and perused the materials available on record and more particularly the impugned orders.

5. From the records, it is seen that during inam settlement, by order dated 20.12.1967, the Settlement Tahsildar-1, Gobichettipalayam refused to grant ryotwari patta to the predecessors in title of the petitioner. Therefore, they filed C.M.A.No. 32 of 1974 on the file of the Special Tribunal for Minor Inam Abolition Act, Coimbatore, which, by order dated 09.9.1974, allowed the said appeal, set aside the order passed by the Settlement Tahsildar-1 dated 20.12.1967 and directed the Settlement Tahsildar-1 to issue patta in favour of the appellants therein under Section 8(1) of the Act with reference to the subject lands.

6. Thereafter, the Executive Officer of the said temple sent a communication to the respondent dated 29.8.2017 setting out a list



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containing various survey numbers by including the subject properties.

However, no supportive documents were produced to show as to how the subject properties belong to the said temple. In the absence of any documents to show the title of the said temple, the respondent went wrong in refusing to register the documents presented by the petitioner.

7. Accordingly, the writ petition is allowed, the impugned refusal check slips are quashed and the respondent is directed to register the sale deeds presented by the petitioner within two weeks from the date of their representation. No costs.

19.12.2024

To
The Sub-Registrar, Kaniyur
Sankaramnallur North,
Tirupur-642103.

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