



W.P(MD)No.2691 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.02.2024

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.2691 of 2024

Ganesan

..Petitioner

Vs

- 1.The District Collector,
Madurai District, Madurai.
- 2.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Board,
Madurai.
- 3.The Executive Officer/Assistant Commissioner,
Arulmigu Subramania Swamy Thirukovil,
Thiruparankundram, Madurai.
- 4.The Tahsildar,
Thiruparankundram Taluk,
Madurai.
- 5.The Sub Registrar,
Thiruparankundram,
Madurai.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 5th respondent to act accordingly in registering any document pertaining to the land belonging to the petitioner in R.S.No.196/14A and Survey No.196/14A in extended 523 sq. ft. D.No.298, Big Car Street, Thiruparankundram, Madurai-5,



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Thiruparankundram Village after availing detailed report over the said property, within the time frame fixed by this Court.

For Petitioner :Mr.T.Palanisamy

For Respondents :Mr.S.RA.Ramachandran,
Addl. Govt. Pleader for R1, R3, R4 & R5.
Mr.B.Saravanan,
Addl. Government Pleader for R2.

ORDER

The petitioner has prayed for issuance of a Writ of Mandamus, directing the 5th respondent to act accordingly in registering any document pertaining to the land belonging to the petitioner in R.S.No.196/14A and Survey No.196/14A in extended 523 sq. ft. D.No.298, Big Car Street, Thiruparankundram, Madurai-5, Thiruparankundram Village after availing detailed report over the said property, within the time frame fixed by this Court.

2.Heard Mr.T.Palanisamy, learned counsel appearing for the petitioner, Mr.S.RA.Ramachandran, learned Additional Government Pleader appearing for the respondents 1, 3, 4 and 5 and Mr.B.Saravanan, learned Additional Government Pleader for the second respondent.



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3.The learned counsel for the petitioner submitted that the petitioner's father purchased piece of land to an extent of 219 sq. ft comprised in R.S.No.196/14A and 304 sq. ft comprised in Natham Survey No.196/14A. After the demise of his father, the petitioner inherited the same and built a house thereon. The petitioner is in possession and enjoyment of the same. The petitioner wanted to sell the property to third party. Hence, he approached the fifth respondent with relevant documents for registration. The fifth respondent summarily rejected the same on the ground that R.S.196/14A and Survey No.196/14A belongs to Aulmigu Subramania Swami Temple, Thirupparankundam. But the copy of the order has not been given to the petitioner. Hence, the petitioner left with no other option filed the present writ petition.

4.The learned Additional Government Pleader for the respondents 1, 3, 4 and 5 would submit that the registering authority did not receive any document from the petitioner. If the petitioner submits his document, the registering authority will consider the same and if it is in order and he will register the same or otherwise he will reject it.



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5.Considering the limited scope of the prayer sought for by the petitioner, this Court directs the petitioner to submit his application along with necessary documents before the fifth respondent. The fifth respondent shall register the document within a period of six weeks from the date of receipt of the document to be submitted by the petitioner by adhering to directions laid down in the decision reported in **2017 (3) CTC 135 (Sudha Ravi Kumar and Ors. Vs. The Special Commissioner and Commissioner, Hindu Religious and Charitable Endowments Department and Ors).**

7. Accordingly, this writ petition is disposed of. No costs.

07.02.2024

NCC : Yes/No
Index : Yes/No
Internet :Yes/No
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V.BHAVANI SUBBAROYAN,J

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