



W.P(MD)No.4833 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.03.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.4833 of 2024

and

W.M.P.(MD)No.4642 of 2024

D.Vellaichamy

... Petitioner

Vs.

- 1.The District Registrar,
Registration Department,
Virudhunagar District,
Virudhunagar.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowment,
Madurai.
- 3.The Revenue Divisional Officer,
Aruppukkottai Sub Division,
Virudhunagar District.
- 4.The Assistant Commissioner,
Hindu Religious and Charitable Endowment,
Virudhunagar.
- 5.The Tahsildar,
Kariapatti Taluk,
Virudhunagar District.
- 6.The Sub Registrar,
Sub Registrar Office,
Kariapatti,
Virudhunagar District.



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7.Rasu

8.Annam

9.Palraj

10.Selvam

11.Pandi

12.Elangovan

13.Muthumari

14.Jeyalakshmi

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 1st respondent to conduct enquiry on the fraudulent registration of documents between the respondents 7 to 14 as mentioned in the representation of the petitioners dated 11.12.2023 in respect of the land belongs to Kariapatti Sri Ayyanar Temple, Virudhunagar District comprised in S.No.1/1A, Kariapatti Village, Virudhunagar District and declare those documents are fraudulently executed, consequently direct the respondents 2 and 4 to retrieve back all the lands belonged to the Kariapatti Sri Ayyanar Temple, Virudhunagar District comprised in S.No.1/1A, Kariapatti Village, Virudhunagar District by invoking Section 78 & 79 of Hindu Religious and Charitable Endowments Act, 1959 within time frame as fixed by this Court.

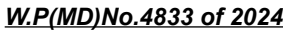
For Petitioner : Mr.S.Balamurugan

For Respondents : Mr.D.S.Nedunchazian

Government Advocate for R1, R3, R5 & R6

: Mr.B.Saravanan

Additional Government Pleader for R2 & R4



Heard the learned counsel appearing for the petitioner and the learned Government Advocate for R1, R3, R5 & R6 and the learned Additional Government Pleader appearing for R2 & R4. Issuance of notice to the private respondents is dispensed with.

2. The petitioner seeks cancellation of the petition mentioned document.

Obviously, the petitioner is invoking Section 77A of the Registration Act.

The said complaint shall be kept pending by the first respondent. The first respondent will take a call in the matter based on the decision to be rendered by the Larger Bench on the scope and applicability of Section 77A of the Registration Act.

3. The Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

01.03.2024

Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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To

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