



W.P(MD)No.14754 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.08.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.14754 of 2024

1.Murugesan

2.M.Rathna Mahalakshmi

... Petitioners

Vs.

1.The Special Commissioner,
Hindu Religious and Charitable
Endowment Department,
Chennai - 14.

2.The Joint Commissioner,
Sri Renganatha Swami Temple,
Hindu Religious and Charitable
Endowment Department,
Srirangam, Trichy.

3.The Sub Registrar,
Sub Registrar Officer,
Srirangam.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the 3rd respondent's impugned refusal Check Slip in RFL/Srirangam/42/2024 dated 18.06.2024 and quash the same and consequently direct the 3rd respondent to register the Mortgage Deed presented by the petitioners in respect of the property in Survey No.757(Old), T.S.No.2653/1 (New), Municipal Ward No.02, Block - 18, the Door No. 10 A ,



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the property now within T.S.No.2653/1, Ward No.B Block No.57 situated at Rajaji Street, Renga Nagar, on the north side, Vellithirumutham Village, Srirangam Taluk without insisting No Objection Certificate from the 1st and 2nd respondents.

For Petitioners : Mr.K.Mahendran

For Respondents : Mr.P.Subbaraj for R1.
Mr.B.Saravanan,
Addl. Government Pleader for R2.
Mrs.D.Farjana Ghoushia for R3.

ORDER

Heard both sides.

2.The petition mentioned document was refused registration on the ground that the property covered under the settlement deeds belongs to Arulmigu Renganatha Swami Temple. Refusal check slip was issued to that effect. Challenging the same, the present writ petition came to be filed.

3.When the matter was taken up for hearing, it is noted that the properties that are comprised in Old T.S.No.757 corresponding to New T.S.No.2653/1 and they were acquired way back in the year 1949. Award was also passed on 28.11.1951. In these circumstances, the very basis on which the impugned



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refusal check slip has been issued stand undermined. It is quashed. The petitioner is permitted to re-present the document. It shall be received, registered and released by the third respondent subject to fulfilment of other usual formalities.

4.The writ petition is allowed accordingly. No costs.

02.08.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-

- 1.The Special Commissioner,
Hindu Religious and Charitable
Endowment Department,
Chennai - 14.
- 2.The Joint Commissioner,
Sri Renganatha Swami Temple,
Hindu Religious and Charitable
Endowment Department,
Srirangam, Trichy.
- 3.The Sub Registrar,
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G.R.SWAMINATHAN, J.

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