



W.P(MD)No.14687 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.11.2024

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD)No.14687 of 2024

G.Anandan

... Petitioner

Vs

- 1.The District Collector,
Madurai District,
Madurai – 625 020.
- 2.The District Revenue Officer,
Madurai District,
Madurai.
- 3.The Joint Commissioner,
HR & CE Department,
Madurai.
- 4.The Sub Registrar,
Nagamalai Pudukkottai SRO,
Nagamalai Pudukkottai,
Madurai District.
- 5.The Tahsildar,
Madurai West Taluk,
Madurai District.
- 6.Jothibas

- 7.Arulmigu Alagu Nachiamman Temple,
Vilacheri, Madurai,
Through its Fit person
- ... Respondents

(R – 7 is impleaded vide order dated 05.11.2024
made in W.M.P(MD)No.14254 of 2024)



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PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the fourth respondent to release the sale deed to the petitioner which is registered on 03.06.2023 bearing Document No.43 of 2023 on the file of the fourth respondent executed by the legal heirs of Virumandi Thevar in favour of the petitioner within the time frame fixed by this Court.

For Petitioner : Mr.R.Aravindan
For RR 1 to 5 : Mr.S.P.Maharajan
Special Government Pleader
For R – 6 : No appearance
For R – 7 : Mr.S.Manohar

ORDER

This Writ Petition has been filed for a direction, directing the fourth respondent to release the sale deed to the petitioner, which was registered on 03.06.2023 vide pending Document No.43 of 2023.

2.The petitioner had purchased the land comprised in Survey No.347/7 under Patta No.6039 to an extent of 1 acre 95 cents situated at Vilachery Village, Madurai.

3.Heard the learned counsel appearing on either side and perused the materials placed before this Court.



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4. Even prior to the petitioner's purchase, a civil suit was filed for declaration in O.S.No.350 of 1997 by the vendors of the petitioner and the same was decreed in their favour and the appeal suit was also dismissed confirming the judgment and decree passed by the trial Court. After verification of all these records, the petitioner had purchased the said property and presented for registration. However, the fourth respondent refused to release the document on the ground that the objections were raised by the sixth respondent. This Court in W.P(MD)No.3831 of 2023, directed the third respondent herein to conduct an enquiry on the application submitted by the sixth respondent herein, by order dated 05.04.2024. However, the enquiry is still pending, after recording the statement of the petitioner herein. Therefore, by order dated 16.08.2023 itself, the fourth respondent refused to release the document on the ground that the enquiry is pending on the file of the third respondent.

5. In view of the above, the third respondent is directed to conclude the enquiry and pass orders, as directed by this Court in W.P(MD)No.3831 of 2023, dated 05.04.2024, within a period of eight weeks from the date of receipt of a copy of this order.



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Thereafter, the fourth respondent is directed to register and release the sale deed in favour of the petitioner subject to the result of the order passed by the third respondent.

6. With the above directions, this Writ Petition is disposed of. There shall be no order as to costs.

05.11.2024
(1/2)

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

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Madurai.
- 3.The Joint Commissioner,
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Madurai.
- 4.The Sub Registrar,
Nagamalai Pudukkottai SRO,
Nagamalai Pudukkottai,
Madurai District.
- 5.The Tahsildar,
Madurai West Taluk,
Madurai District.
- 6.Fit Person,
Arulmigu Alagu Nachiamman Temple,
Vilacheri, Madurai.



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G.K.ILANTHIRAIYAN, J.

ps

Order made in
W.P(MD)No.14687 of 2024

**05.11.2024
(1/2)**