



W.P(MD)No.17442 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.12.2024

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD)No.17442 of 2024

and

W.M.P(MD)No.14979 of 2024

1.K.Jeganathan
2.N.Prakash
3.K.Venkatesh Babu
4.V.Rajalakshmi
5.V.Gayathri

... Petitioners

Vs

1.The Inspector General of Registration,
Santhome High Road,
Santhome,
Chennai.

2.The Deputy Inspector General of Registration,
Tirunelveli Zone,
Tirunelveli.

3.The District Registrar,
Tenkasi,
Tenkasi District.

4.The Sub-Registrar,
Srivilliputhur,
Virudhunagar District.

5.S.Balakrishnan
6.G.Rajkumarvelan

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order of refusal check slip



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issued by the fourth respondent in RFL/Srivilliputhur/68/2024 dated 17.05.2024 as well as the impugned orders passed by the respondents 2 and 3 in Na.Ka.No.4385/ThaPi/2021 dated 17.12.2021 and in No.7493/Aa2/2020 dated 29.07.2021 respectively and to quash the same as illegal and consequently directing the fourth respondent to register and release the sale deed dated 03.05.2024 forthwith for the property situated in Survey No. 466/4 to an extent of 1 Acre 33 cents situated at Athikulam Sengulam Village, Srivilliputhur, Virudhunagar District.

For Petitioners : Mr.C.Jeya Prakash

For RR 1 to 4 : Mr.S.P.Maharajan
Special Government Pleader

For R – 5 : Mr.A.Sivaji

For R – 6 : Mr.R.Ganesh Prabhu

ORDER

This Writ Petition has been filed by the petitioners challenging the refusal check slip issued by the fourth respondent dated 17.05.2024 thereby refusing to register the sale deed which was presented for registration by the petitioners in favour of the sixth respondent and the orders passed by the respondents 2 and 3 thereby declaring that the earlier sale deed executed by the petitioners in favour of one Rajamani as fraudulent one and confirmed by the Appellate Authority.



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2.After hearing the matter at length, the petitioners seek liberty to seek permission to sell the subject property by filing a Trust Original Petition before the competent Court in respect of the subject property, since there is a dispute between the Trustees namely the petitioners and the fifth respondent herein in respect of the subject properties belonged to Arulmighu Siddhi Vinayagar Temple.

3.In view of the above, this Writ Petition is dismissed. The petitioners are at liberty to approach the appropriate Court to file a Trust Original Petition seeking for appropriate relief in respect of the subject property. It is made clear that any of the observations made by the respondents 2 and 3 herein may not have any bearing while disposing the suit to be filed by the petitioners. The trial Court is directed to dispose of the suit without any influence of the orders passed by the respondents 2 and 3. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

**03.12.2024
(1/2)**

NCC : Yes / No
Index : Yes / No
Internet : Yes
ps



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To

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Santhome High Road,
Santhome,
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- 2.The Deputy Inspector General of Registration,
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Tirunelveli.
- 3.The District Registrar,
Tenkasi,
Tenkasi District.
- 4.The Sub-Registrar,
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G.K.ILANTHIRAIYAN, J.

ps

Order made in
W.P(MD)No.17442 of 2024

**03.12.2024
(1/2)**