



WP(MD). No.20840 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 09/09/2024

CORAM

The Hon`ble Mr.Justice N.SATHISH KUMAR

WP(MD). Nos.20840 13092, 10139 and 8940 of 2024

WP(MD) No.20840/2024

Shanthi. P

... Petitioner

Vs

1. The Sub Registrar,
Srirangam Registration Office,
Gandhi Road, Srirangam,
Trichy 620006.

2. The Executive Officer,
Arulmigu Sri Renganathaswamy Temple,
Srirangam, Trichy 620006.

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to register the sale of the property in respect of the property Flat No.G1 in Ground Floor, in the Apartment known as RAJAJI ENCLAVE measuring built up area of 680 Sq. ft of RCC house building with an undivided share of 513 Sq.ft out of 7,677 Sq.ft of land bearing Plot No.C-43 measuring 3,840 Sq.ft and in Plot No.C-44 measuring an



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extent of 4,048 Sq.ft (thus totaling 7,677 Sq.ft) and situate in Vellithirumutham Village Old Ward II, Block No.55, Old T S No.747 (Resurvey T S Nos.756 and 2591) in Tiruchirappalli District, Srirangam Taluk, Tiruchirappalli Registr

WP(MD) No.13092/2024

P. Prakash

... Petitioner

Vs

1. The Sub Registrar,
Srirangam Registration Office,
Gandhi Road,
Srirangam, Trichy 620 006.

2. The Executive Officer,
Arulmigu Sri Reganathaswamy Temple,
Srirangam,
Trichy 620 006.

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, by directing the 1st respondent to register the sale of the property in respect of the property bearing No. C-32, Vardhachari Road, Old Door No. 2, New Door No. 2C/3, Renga Nagar, Vellithirumutham Village, Srirangam, Trichy Comprised in Old T.S.No. 749 and measuring an extent of 4500 Sq.Ft which was settled in favour of the petitioner under the settlement deed dated 24.06.2013, without seeking no objection letter from the 2nd respondent.



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WP(MD) No.10139/2024

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S.Lalitha,

... Petitioner

Vs

1. The Sub Registrar,
Srirangam Registration Office,
Gandhi Road,
Srirangam,
Trichy - 620 006..

2. The Executive Officer,
Arulmigu Sri Renganathaswamy Temple,
Srirangam,
Trichy - 620 006..

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to register the sale of the property in respect of the property bearing No.30, Rajaji Street, Vellithirumutham Village, Srirangam, Trichy comprised in Old TS No.754, No.C/13 Part, New Ward - D, New Block No.54, New TS No.2565/1 and measuring an extent of 1946 Sq.ft. which was purchased by the petitioner under the sale deed dated 21.02.2011, without seeking no objection letter from the 2nd respondent.

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Swamy. Rv,

... Petitioner

Vs

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1. The Sub Registrar,
Srirangam Registration Office,
Gandhi Road,
Srirangam,
Trichy 620 006..

2. The Executive Officer,
Arulmigu Sri Renganathaswamy Temple,
Srirangam,
Trichy 620 006..

... Respondents

PRAYER :-Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to register the sale deed dated at 30.9.1977 in respect of the property bearing Plot No.B 21 covered under T.S.No.1801/2, Vellithirumutham Village, Srirangam and measuring an extent of 5223.25 Sq.ft when the same is presented for registration without seeking no objection letter from the 2nd respondent.

For Petitioner : Mr.P.R.Krishnaraj,
For Respondent : Mr.M.Siddharthan for R1
Mr.M.Saravanan for R2

COMMON ORDER

These writ petitions have been filed for a mandamus directing the first respondent not to insist any no objection certificate from the 2nd respondent temple while registering the documents in respect of TS Nos. 747, 748, 754 and 1801/2.



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2. By consent of both sides, the writ petitions themselves are taken up for final disposal at the stage of admission itself.

3. It is the contention of the petitioner that these survey numbers were subject matters of acquisition proceedings by the Government for cooperative housing schemes and lay-outs have been formed and the lands have been sold. Whenever the subject matter is dealt with by way of any transactions, the authorities are insisting for no objection certificate from the 2nd respondent temple. In order to substantiate the case, the learned counsel has also placed the notification of the Government for acquiring the land in question. Therefore, the petitioners are before this Court with these writ petitions for the aforesaid relief.

4. In the counter filed by the 2nd respondent, it is stated that though it is contended by the petitioner that the land in S.No.1801/2 has been acquired by the Government, pursuant to the said acquisition, an award has been passed in Award No.40/1951 vide award dated 28.11.1951 and compensation amount has been paid to the claimants, no proof is filed by the petitioner to show that compensation amount has been paid to the



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temple and on that score, they pray for dismissal.

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5. I have considered the rival submissions and perused the materials available on record.

6. A perusal of the notification of the Government, it is seen that the above said survey numbers have been acquired by the Government as early as in the year 1951 and award has also been passed on 28.11.1951. Therefore, when the subject properties were acquired by the Government, merely on the basis of the earlier entry relating to the temple, no objection certificate cannot be insisted by the registering authority while registering any of the document particularly relating to these survey numbers.

7. In such view of the matter, there shall be a direction to the 1st respondent not to insist for no objection certificate for any transaction relating to S.Nos.747, 749, 754 and 1801/2. It is made clear that whenever any document is presented relating to the above survey numbers, the parties shall not be driven to the Court to get orders. This



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order shall apply to all the transactions in respect of the aforesaid survey numbers in future as well.

6. The writ petitions are allowed with the above direction. No costs.

09.09.2024

NCC : Yes/No

Index : Yes/No

RR

TO

1. The Sub Registrar,
Srirangam Registration Office,
Gandhi Road, Srirangam,
Trichy 620006.



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N.SATHISH KUMAR,J

**ORDER
IN
WP(MD) Nos.20840, 13092, 10139 and 8940 of 2024**

Date : 09/09/2024