



WP(MD). No.25421 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 19/09/2024

CORAM

The Hon`ble Mr.Justice N.SATHISH KUMAR

WP(MD). No.25421 of 2023

Mahendran.R

... Petitioner

Vs

1. The District Registrar,
District Registrar Office,
Palani, Palani Taluk,
Dindigul District..

2. The Sub Registrar,
Sub Registrar Office,
Gujiliamparai,
Gujiliamparai Taluk,
Dindigul District..

3. The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
No. 6/42a Spencer Compound,
Tiruvalluvar Nagar
4th Street, Dindigul, Dindigul District..

4. The Inspector,
Hindu Religious and Charitable
Endowments Department,
Vedasandur, Vedasandur Taluk,
Dindigul District..



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5. The Tahsildar,
Gujiliamparai,
Gujiliamparai Taluk,
Dindigul District..

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd respondent to fix guideline value for the land comprised in survey number 76/1 at an extent of 1.14 hectares (2.82 Acres) owned by the petitioner and also directing the 2nd respondent to make appropriate corrections in his office records, by recording the petitioners name as the owner of the above mentioned land instead of Kulathur Sellandiamman Temple as per the report of the 5th respondent dated 07.06.2019 by considering the representation dated 03.03.2023.

For Petitioner : M/s. Guhaseelarupan.C,

For Respondents : Mr.P.Subbaraj for R1, 2 and 5
Special Government Pleader
Mr.S.Selvaganesan for R3 and R4

ORDER

The writ petition has been filed for a mandamus directing the 2nd respondent to fix guideline value for the land comprised in survey number 76/1 at an extent of 1.14 hectares (2.82 Acres) owned by the petitioner and also directing the 2nd respondent to make appropriate corrections in his office records, by recording the petitioners name as the



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owner of the above mentioned land instead of Kulathur Sellandiamman Temple as per the report of the 5th respondent dated 07.06.2019 by considering the representation dated 03.03.2023.

2. According to the petitioner, the subject property is the ancestral property of the petitioner and he is in possession and enjoyment of the same. While mortgaging the property, he came to know that the property is in the name of the temple as per the official website of the registration department. In order to rectify the same, the petitioner has sent a representation. Since the same has not been considered so far, the petitioner is before this Court.

3. It is his further case that based on the letter sent by the 4th respondent on 08.08.2012, the guideline value has been shown as 'Zero' value. Thereafter, after enquiry, the petitioner came to know that the property is not belonged to the respondent Endowment Department. The 5th respondent has given a communication to the 3rd respondent stating that the said land is a patta land and stands in the name of the petitioner and opined that the property is neither an assignment land nor a temple



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land and after UDR scheme, it is a private land.

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

5. A written communication has also been sent to this Court. The said communication is based on the report of the Tahsildar dated 31.10.2023. When the temple itself is not claiming any right over the property and still based on the earlier communication of the Inspector, guideline value has been shown as 'Zero' by the registering authorities, cannot be permissible. In fact, the same will impede the right of the petitioner. In such view of the matter, the first respondent shall place the matter before the sub committee for fixing the guideline value in respect of S.No.76/1 within a period of one month from the date of receipt of a copy of this order. Under Section 47AA of the Stamp Act, the committee shall fix the guideline value within a period of one month thereafter.



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6. The writ petition is disposed of with the above direction. No costs.

19.09.2024

RR

TO

1. The District Registrar,
District Registrar Office, Palani,
Palani Taluk, Dindigul District..
2. The Sub Registrar,
Sub Registrar Office,
Gujiliamparai,
Gujiliamparai Taluk,
Dindigul District..
3. The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
No. 6/42a, Spencer Compound,
Tiruvalluvar Nagar
4th Street, Dindigul, Dindigul District..
4. The Inspector,
Hindu Religious and Charitable
Endowments Department, Vendasandur,
Vendasandur Taluk, Dindigul District..
5. The Tahsildar,
Gujiliamparai,
Gujiliamparai Taluk, Dindigul District..

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N.SATHISH KUMAR,J

RR

**ORDER
IN
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Date : 19/09/2024