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WP No. 4533 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-03-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 4533 of 2025

AND

WP NO. 4535 OF 2025, WP NO. 4536 OF 2025

1. K.S.Vasudevan
S/o.K.C.Senniappa Gounder, No.7
Narayanannagar,
Gobichettipalayam, Erode District
638452.

Petitioner(s)

Vs

1. The Joint Sub Registrar No.1
Gobichettipalayam Sub Registrar
Office, Erode Registration District.

2.The Administrator General And
Official
Trustee Of Tamil Nadu (ag And Ot),
City Civil Court Annex Building,
Chennai 600104.

3. The Tahsildar, Gobichettipalayam
[suo-motu impleaded as the 3rd respondent vide order
dated 10.03.2025]

Respondent(s)



WP No. 4535 of 2025

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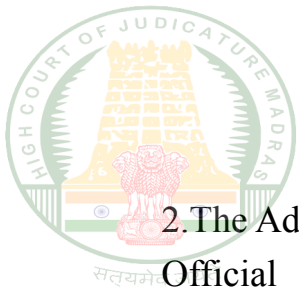
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Respondent(s)

WP No. 4533 of 2025

PRAYER

Writ petition filed under Article 226 of Constitution of India for issuance of writ of Certiorarified Mandamus to call for the records relating to the impugned Refusal Check Slip dated 27.12.2024 in RFL/1 No. Joint Sub-Registrar Gobichettipalayam/25/2024 issued by the 1st respondent and quash the same, and consequently direct the 1st respondent to register the cancellation deed of the rental agreement dated 27.12.2024 and pass orders.

WP No. 4535 of 2025

PRAYER

Writ petition filed under Article 226 of Constitution of India for issuance of writ of Certiorarified Mandamus to call for the records relating to the impugned Refusal Check Slip dated 23.12.2024 in RFL/1 No. Joint Sub-Registrar Gobichettipalayam/23/2024 issued by the 1st respondent and quash the same, and consequently direct the 1st respondent to register the cancellation deed of the rental agreement dated 19.12.2024 and pass orders.

WP No. 4536 of 2025

PRAYER

Writ petition filed under Article 226 of Constitution of India for issuance of writ of Certiorarified Mandamus to call for the records relating to the impugned Refusal Check Slip dated 23.12.2024 in RFL/1 No. Joint Sub-Registrar Gobichettipalayam/24/2024 issued by the 1st respondent and quash the same,



and consequently direct the 1st respondent to register the cancellation deed of the rental agreement dated 19.12.2024 and pass orders.

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For Petitioner(s): V.Anandhamurthy

For Respondent(s): Mr. B. Vijay Agp Takes Notice
For Respondents 1 and 2.

ORDER

These writ petitions have been filed challenging the impugned refusal check slip issued by the 1st respondent dated 27.12.2024, 23.12.2024 and 27.12.2024 respectively on the ground that the subject property comes within the control of a Trust called as “Palaniappa Chettiar Rangammal Trust”.

2. When these matters came up for hearing on 14.02.2025, this Court passed the following order :-

The refusal check slip issued by the first respondent has been put to challenge in all these three writ petitions. The specific case of the petitioner is that the property in Survey Nos.70, 71 and 72 had a total extent of 3.69 acres. Out of this, 1.38 $\frac{3}{4}$ acres was purchased by the vendor and out of that extent, 52 $\frac{3}{4}$ acres was purchased by the petitioner through registered sale deeds dated 12.03.1998 and 24.05.2006. The specific case of the petitioner is that the Palaniappa Chettiar Rangammal Trust, which is administered by the second respondent owns only an extent of one



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acre and the petitioner is not claiming any right over that property.

However, based on the objection letter given, the petitioner is not permitted to deal with the property.

2. Mr.B.Vijay, learned Additional Government Pleader, takes notice on behalf of the respondents.

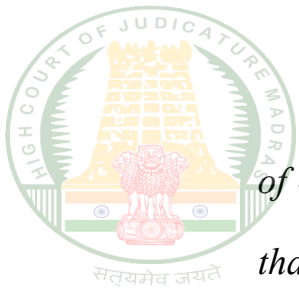
3. Learned Additional Government Pleader shall take specific instructions from the second respondent and report before this Court.

Post this writ petition at the end of the motion list on 24.02.2025.

3. When these matters were taken up for hearing today, the Administrator General and Official Trustee submitted a report before this Court.

The relevant portions are extracted hereunder:-

16. The respondent further submits that the total extent owned by the Trust in S.F.Nos.70, 71 is 1 Acre, as per the scheme decree of Palaniappa Chettiar and Rangammal Charities. Now 87.5 cents has been leased out to Sri Ram and Co., Rep by its partner, N.R.Nagaraj, S/o.Rangasamy No.184-A Sathyamangalam Main Road, Veerapandi Village, Gobichettipalayam Erode and 8.33 Cents has been leased to one Mr.Vetrivel, No.204, Sathy main road, Gobichettipalayam. Therefore, a total extent of 95.83 cents are in possession of the office of AG and OT. The remaining extent

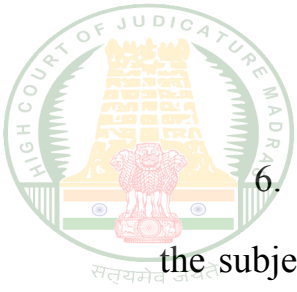


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of 4.17 cents is yet to be identified. The petitioner has also alleged that he is also in ownership of land in the impugned S.F.Nos.70 and 71. The particular survey numbers have not been measured so far. Without the assistance of the Revenue authorities and the survey department, it is difficult to find out the exact boundaries and extent of impugned survey Nos. 70 and 71. Hence, the respondent craves leave of this Court to implead the revenue authorities in order to locate and demarcate the properties owned by the 2nd respondent and the petitioner.

4. It is clear from the report submitted by the 2nd respondent that in Survey No.70 and 71, the trust owns one acre of land as per the scheme decree. Out of this one acre, 87.5 cents has been leased out to a partnership firm and 8.33 cents has been leased out to a private entity. Out of this one acre, the 2nd respondent was able to take possession of 95.83 cents and the remaining extent of 4.17 cents is yet to be identified.

5. The petitioner is claiming right and title in Survey Nos.70, 71 and 72 which is a total extent of 3.69 acres. The specific case of the petitioner is that he is not claiming any right or title over the extent of property that belongs to the Trust. However, the 1st respondent has issued the refusal check slip on the ground that the property belongs to the “Palaniappa Chettiar Rangammal Trust”.



6. The issue in hand can be easily resolved if a survey is conducted in the subject property and the property belonging to the trust is demarcated and the boundary stones are laid. In view of the same, the Tahsildar, Gobichettipalayam, is suo-motu impleaded as the 3rd respondent in all these writ petitions.

7. The impleaded 3rd respondent is directed to conduct a survey in the subject property viz., S.F.No.70, 71 and 71A (TS No.7 and 8) and demarcate the boundaries and identify one acre of property that belongs to “Palaniappa Chettiar Rangammal Trust”. Thereafter, it shall be subdivided and the patta shall be issued in the name of the Trust. Once this process is completed, the property that is owned by the petitioner can be identified and the petitioner will be able to deal with the property without any further hindrance. This will give a permanent solution to both the petitioner as well as the concerned trust. The impleaded 3rd respondent shall complete this process within a period of four weeks from the date of receipt of a copy of this order. On completion of this process and after proper demarcation of boundaries, the petitioner can be permitted to re-present the document for registration before the 1st respondent and in such an event, the document shall be registered, if it is otherwise in order.



8. All these writ petitions are disposed of in the above terms. No costs.

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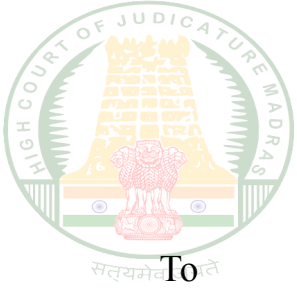
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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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N.ANAND VENKATESH J.

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