



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-03-2025

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CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 9366 of 2025

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1. A.Maheshwari
W/o.P. Anbarasu, Door No.109,
Therku Theru, Madoor Village,
Kallakurichi Taluk, Kallakurichi
District Rep By Her Power
Agents.

2.K.Krishna Moorthy
S/o. Karuththaan, Door No.964-
1, Kaattukottai, Siruvangur
Village, Kallakurichi Taluk,
Kallakurichi District.

3.R.S.M.Raja
S/o.Mani, Door No.16/24,
Kariappa Nagar, Emapper Village,
Kallakurichi Taluk, Kallakurichi
District.

4.P.Sakthivel
S/o.Pakkiri Samy, Door No. 16/4,
Kariappa Nagar, Emapper Village,
Kallakurichi Taluk, Kallakurichi
District.

Petitioner(s)

Vs

1. The Joint Sub-registrar-ii
Sub- Registrar Office,
Kallakurichi.

2. The District Registrar



O/o.The District Registrar
Kallakurichi District.

3.The Inspector General Of
Registration
Office Of The Inspector General
Of Registration , Santhome,
Chennai.

4.The Tamil Nadu Wakf Board
Rep By Chief Executive Officer,
No.1, Jaffar Sarang Street , Vallal
Seethakadi Nagar, Chennai-01.

Respondent(s)

PRAYER

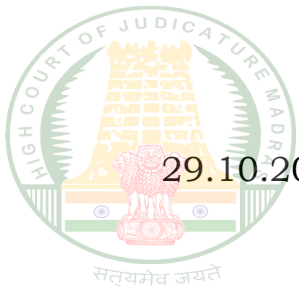
Writ petition filed under Article 226 of Constitution of India for issuance of writ of Mandamus directing the respondents 1 and 2 to register and release the sale deed dated 29.10.2024 executed by the petitioner, after hearing the petitioner and conducting enquiry as laid down by the honble Division Bench of this court in 2017 (3) CTC 135 of 5.4.2017 in the case of Sudha Rani Kumar VS Special Commissioner and pass orders.

For Petitioner(s): I.Kowser Nissar
For Respondent: Mr.K.Karthikeyan,
Government Advocate for R1
to R3
Mr.T.Saikrishnan, Standing
counsel for R4

ORDER

This writ petition has been filed for the issue of writ of

<https://www.mhcn.org.in> mandamus directing the 1st respondent to register the sale deed dated



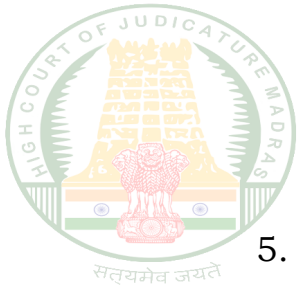
29.10.2024 executed by the petitioner.

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2. Heard Mr.I.Kowser Nissar, learned counsel for the petitioner and Mr.K.Karthikeyan, learned Government Advocate for Respondents 1 to 3 and Mr.T.Saikrishnan, learned Standing counsel for 4th respondent.

3. The grievance of the petitioner is that they are the absolute owner of the subject property and whereas, a claim was made by the Wakf that the property belongs to the Wakf and accordingly, a communication has been issued by the 4th respondent to the 1st respondent. When the sale deed was presented for registration, the same was refused to be registered on the ground that the property in question is a wakf property.

4. In the considered view of this Court, the 1st respondent can follow the guidelines issued by the Division Bench of this Court in ***[Sudha Ravi Kumar and another Vs. The Special Commissioner and others] reported in 2017 3 CTC 135 (paragraph 25)*** and conduct the summary enquiry after affording opportunity to the petitioner and the 4th respondent and a decision shall be taken within a period of four weeks from the date of receipt of a copy of this order.



5. This writ petition is disposed of with the above directions.

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20-03-2025

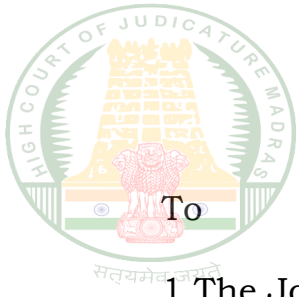
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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



To

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Sub- Registrar Office,
Kallakurichi.

2.The District Registrar
O/o.The District Registrar
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