



W.P.No.7427 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2025

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.7427 of 2025

R.SenniappaGounder

.. Petitioner

Versus

1. The Joint Commissioner,
Hindu Religious & Charitable Endowment
Department, Tiruppur District,
Tiruppur - 641 604.

2. The Commissioner,
Hindu Religious & Charitable Endowment
Department,
119, Uthama Gandhi Road,
Nungambakkam,
Chennai - 600 034.

3. The Sub Registrar,
Avinashi, Tirupur.

.. Respondents

(R3- Suo Motu impleaded as per order dated
04.03.2025 in W.P.No.7427 of 2025)



W.P.No.7427 of 2025

WEB COPY

Prayer : Writ Petition filed under Article 226 of the Constitution of India, pleased to issue a Writ of Mandamus, directing the 2nd respondent to consider the representation, dated 13.11.2024 of the petitioner to issue No Objection Certificate to the Avanashi Sub Registrar office for the petitioner patta property in Survey No.1/1A in Naduvechery village, Avinashi taluk, Tirupur.

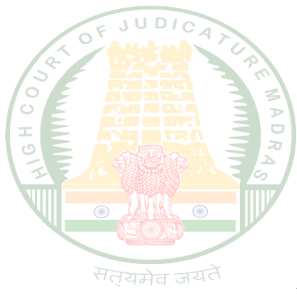
For Petitioner : Mr.C.Ramkumar

For Respondent : Mr.K.Karthikeyan,
Government Advocate (HR & CE),
for RR-1 and 2

: Mr.S.Senthil Murugan,
Special Government Pleader, for R3

ORDER

This Writ Petition is filed to consider the representation of the petitioner, dated 13.11.2024 to issue No Objection Certificate to the Sub Registrar, Avinashi in respect of the patta property in S.No.1/1A in Naduvechery village, Avinashi taluk, Tirupur.



W.P.No.7427 of 2025

WEB COPY

2. The grievance of the petitioner is that the petitioner's land is comprised in S.No.1/1A in Naduvechery village. However, the temple, which possesses the properties in the same survey number at Chinneripalayam village, while giving their objection to the Sub-Registrar, has mentioned the petitioner's survey number. Since the temple is situated in Naduvechery village, this confusion arose.

3. When the matter is taken up for hearing, *Mr.K.Karthikeyan*, the learned Government Advocate (HR & CE) for the respondent Nos.1 and 2, would submit that indeed such a confusion has arisen. However, now, the temple is not claiming any right, title or interest whatsoever in the petitioner's land that is mentioned in the Writ Petition.

4. In view thereof, this Writ Petition is disposed of on the following terms:-

(i) In view of the fact that the respondents are not claiming any right,



W.P.No.7427 of 2025

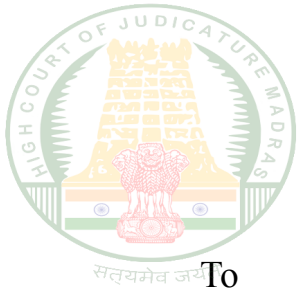
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title or interest and the petitioner is the title holder in respect of S.No.1/1A, Naduvechery village, Avinashi taluk, Tirupur notwithstanding any claim made in the past, the petitioner will be entitled to deal with this property in any manner whatsoever and if any document that is presented before the Sub-Registrar, Avinashi taluk, the same shall be accepted from the petitioner as if there is no rival claim from the temple or from the respondents.

(ii) There shall be no order as to costs.

30.04.2025

Neutral Citation : no
grs



W.P.No.7427 of 2025

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W.P.No.7427 of 2025

D.BHARATHA CHAKRAVARTHY, J.

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W.P.No.7427 of 2025



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W.P.No.7427 of 2025

30.04.2025