



Writ Petition No.6631 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.02.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.6631 of 2025

V.A.Thirumagal

W/o.Bharathi Muthurathinam

... Petitioner

Vs.

1.The Secretary to Government,
Hindu Religious and Charitable
Endowment Department,
Fort St.George, Chennai - 600 009.

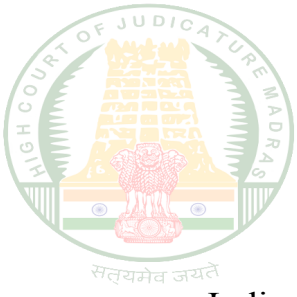
2.The Joint Commissioner,
O/o.Joint Commissioner,
Hindu Religious and Charitable
Endowment Department,
Coimbatore - 641 018.

3.The Fit Person,
Arulmigu Ullu Vinayagar and Bhagavathi
Amman Temple,
Moperipalayam, Coimbatore.

4.The Sub-Registrar,
Annur Sub Registration Office,
Annur, Coimbatore.

5.The Sub-Registrar,
Singanallur Sub Registration Office,
Singanallur, Coimbatore.

... Respondents



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Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to the proceedings of the fourth respondent dated 08.01.2025 in மு.ஆ.ப/எண் 1/2025 and quash the same and consequently, direct the fourth respondent to duly register the Settlement Deed dated 06.01.2025 pending with the fourth respondent as Document No.P1 in Book-I of the year 2025 in a time bound manner.

For Petitioner : Ms.V.S.Usharani
For Respondents : Mr.S.Ravichandran
Additional Government Pleader [R1 to R3]
Mr.B.Vijay
Additional Government Pleader [R4 & R5]

ORDER

This writ petition has been filed challenging the impugned refusal check slip dated 08.01.2025 issued by the fourth respondent and for a consequential direction to the fourth respondent to register the Settlement Deed dated 06.01.2025 executed in favour of the petitioner by his wife.

2. Heard Ms.V.S.Usharani, learned counsel for the petitioner, Mr.S.Ravichandran, learned Additional Government Pleader appearing for respondents 1 to 3 and Mr.B.Vijay, learned Additional Government Pleader appearing for respondents 4 and 5.



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3. The main ground that has been put against the petitioner for not registering the settlement deed is that an order was passed in W.P.No.11473 of 2023 dated 26.07.2024 which gave certain directions to the fifth respondent. Further, the fourth respondent had also referred to the communication of the third respondent dated 03.08.2021 and has directed to obtain No Objection Certificate from the respondents 2 and 3.

4. In the considered view of this Court, the fourth respondent has failed to see that the order passed in W.P.No.11473 of 2023 dated 26.07.2024 was a direction that was given only to the fifth respondent and not to the fourth respondent. That apart, the communication of the third respondent dated 03.08.2021, which has been cited by the fourth respondent in the impugned refusal check slip cannot be put against the petitioner since it has already been quashed by this Court by order dated 26.07.2024. In view of the same, the refusal check slip has been issued without any application of mind, which requires the interference of this Court.

5. In the result, the impugned refusal check slip dated 08.01.2025 issued by the fourth respondent is hereby quashed and there



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shall be a direction to the fourth respondent to register the settlement deed, if it is otherwise in order.

This writ petition is accordingly allowed. No costs.

28.02.2025

Neutral Citation: Yes/No

Index: Yes/no

Speaking Order/Non-Speaking Order
gm



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WEB COPY

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N.ANAND VENKATESH, J

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