



Writ Petition No.5754 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.02.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.5754 of 2025

P.Sakunthala

W/o.Periyasamy Gounder

... Petitioner

Vs.

1. The Joint Registrar – 2
Nallur Sub-Registrar Office
Tirupur.

2. Arulmighu Veeraraghava Perumal Temple
Represented by its Executive Officer
Tirupur.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order dated 31.12.2024 passed by the first respondent in Na.Ka.No.319 of 2024 and quash the same and consequently direct the first respondent to register documents in respect of 2790 sq.ft of house site in T.S.No.74/1, Survey No.203 of Tirupur Village, Tirupur South Taluk, Tirupur District.

For Petitioner : Mrs.AL.Ganthimathi
Senior Counsel for Mr.Titus Enock

For Respondents : Mr.B.Vijay
Additional Government Pleader [R1]
Mr.N.R.R.Arun Natarajan
Special Government Pleader [R2]



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ORDER

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This writ petition has been filed challenging the impugned proceedings dated 31.12.2024 issued by the first respondent and for a consequential direction to the respondent to register the document pertaining to the subject property without insisting for 'No Objection Certificate' from the second respondent temple.

2. Heard Mrs.AL.Ganthimathi, learned Senior Counsel appearing for petitioner, Mr.B.Vijay, learned Additional Government Pleader appearing for first respondent and Mr.N.R.R.Arun Natarajan, learned Special Government Pleader appearing for second respondent.

3. The specific case of the petitioner is that he is the owner of the subject property through a registered sale deed dated 03.12.2014. The petitioner is tracing title to the subject property from the year 1923 onwards and according to the petitioner, the 'A' register also stood in the name of one Appachi Iyengar and thereafter, patta was mutated in the name of the petitioner. The petitioner wanted to deal with the subject property and when the document was presented for registration before the first respondent, the same was not entertained and the petitioner was



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asked to get 'No Objection Certificate' from the second respondent temple through the impugned proceedings dated 31.12.2024. The same has been put to challenge in the present writ petition.

4. Learned Senior Counsel appearing on behalf of the petitioner submitted that a similar writ petition was filed in W.P.No.2682 of 2024 before this Court and the said writ petition came to be dismissed by an order dated 07.03.2024. Aggrieved by the same, W.A.No.2395 of 2024 was filed and this writ appeal was allowed by directing the Sub-Registrar to register the document. This Court also gave liberty to both parties to raise all the grounds in the pending suit. Learned Senior Counsel submitted that the petitioner is also similarly placed like that of the petitioner in W.P.No.2682 of 2024.

5. Taking note of the judgment passed by the Division Bench in W.A.No.2395 of 2024, dated 09.09.2024 and also taking note of the judgment of the Division Bench in ***Sudha Ravi Kumar and another v. The Special Commissioner and others*** [2017 (3) CTC 135], there shall be a direction to the first respondent to conduct a summary enquiry based on the documents that are presented by the petitioner and the first



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N.ANAND VENKATESH, J

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respondent shall also take note of the judgment passed by the Division Bench in W.A.No.2395 of 2025, dated 09.09.2024 and an opportunity shall be afforded to the second respondent and a decision shall be taken regarding entertaining of documents with respect to the subject property, within a period of four (4) weeks from the date of receipt of a copy of this order.

In the result, this writ petition is disposed of with the above direction. No costs.

24.02.2025

Neutral Citation: Yes/No

Index: Yes/no

Speaking Order/Non-Speaking Order

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To

1. The Joint Registrar – 2
Nallur Sub-Registrar Office
Tirupur.

2. The Executive Officer,
Arulmighu Veeraraghava Perumal Temple
Tirupur.

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