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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-04-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

**WP No. 15678 of 2025
and WMP No. 17730 of 2025**

Sakthivel

Petitioner(s)

Vs

1. Inspector General Of Registration,
Santhome High Road, Santhome,
Chennai 600 028.

2. The Sub Registrar,
The Sub Registrar Office
Tiruchengode-Paramathivelur Road
(SH-86), Near Anna Statue,
Thondikaradu, Tiruchengode-637211.

3. The Chief Executive Officer,
Tamil Nadu Waqf Board,
No.1, Jaffar Syrang Street,
Valla Seethakathi Nagar,
Chennai-600001

Respondent(s)



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PRAYER Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records of the impugned refusal slip issued by the 2nd Respondent vide RFL/Tiruchengode/29/2025, dated 29.03.2025 and quash the same and consequently direct the 2nd Respondent to register the sale deed dated 16.12.2024.

For Petitioner(s): Mr.Naveenkumar Murali

For Respondent(s): Mr.U.Baranidharan
Special Government Pleader

ORDER

This writ petition has been filed challenging the impugned refusal Check Slip dated 29.03.2025 issued by the 2nd respondent and for a consequential direction to the 2nd respondent to register the Sale Deed and release the same.

2.Heard Mr.Naveenkumar Murali, learned counsel appearing on behalf of the petitioners and Mr.U.Baranidharan, learned Special Government Pleader appearing on behalf of the respondents.



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3. On going through the materials placed before this Court, it is seen that the right over the property has been conclusively decided in the Civil Court proceedings which was confirmed up to the Apex Court. The same is evident from the order passed by the Apex Court in Civil Appeal No.10583 of 2014 dated 01.05.2024. The Apex Court has taken note of the memo that was filed by the 3rd respondent on 05.04.1991 before the Trial Court to the effect that the plaintiff's in the suit are entitled for the property.

4. In the light of the above discussion, the impugned refusal Check Slip issued by the 2nd respondent asking the petitioner to get the No Objection Certificate from the 3rd respondent is unsustainable. Hence, the impugned refusal Check Slip dated 29.03.2025 issued by the 2nd respondent is hereby quashed and there shall be a direction to the 2nd respondent to register the Sale Deed, if it is otherwise in order.



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5. In the result, this writ petition stands allowed with the above directions.

No Costs. Consequently, connected miscellaneous petition is closed.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

ssr



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To

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N.ANAND VENKATESH J.

SSR

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