



W.P.No.21297 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 10.07.2025

CORAM :

THE HON'BLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.21297 of 2025

Mr.R.Kandasamy

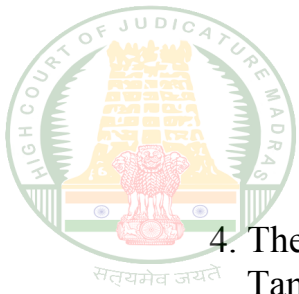
.. Petitioner

v.

1. The Commissioner
Hindu Religious and Charitable
Endowments Department
Uthamar Gandhi Salai
Nungambakkam
Chennai 600 034

2. The Joint Commissioner
Chennai Zone-I
Hindu Religious and Charitable
Endowments Department
D.P.I.Building, College Road
Chennai 600 006

3. The Executive Officer
Arulmighu Sowmya Damodhara
Perumal Thirukkivil
No.34, Sannadhi Street
Villivakkam
Chennai 600 049



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4. The Inspector General of Registration
Tamil Nadu Registration Department
Santhome High Road, Mylapore
Chennai 600 004

5. The Sub Registrar of Assurances
Konnur Registrar Office
Ambattur, Chennai 600 053

6. The District Collector
Chennai
Singaravelar Maaligai
Rajaji Salai, Chennai 600 001

7. The Revenue Divisional Officer
Chennai-Central
Thirumangalam-Ambattur Estate Road
Chennai 600 101

8. The Tahsildar
Ayanavaram Taluk, Kilpauk
Chennai 600 010

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing Respondent Nos.1 to 3 to issue 'No Objection Certificates/Letters' to fifth respondent and to eighth respondent for the purposes of registering documents and for issuing patta in petitioner's name, in respect of petitioner's land measuring 1,710 square feet at Door No.3/2, North Mada Street, Villivakkam, Chennai 600 049, comprised in T.S.No.40 (part), Old Survey No.348/1A (part), Block No.57, Konnur Village, Ayanavaram Taluk, Chennai District, by considering and disposing petitioner's representations dated 28.03.2025 to the second respondent and dated 15.04.2025 to the first respondent herein, within the time frame that may be fixed by this Hon'ble Court.



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For Petitioner :: Mr.B.K.Sreenivasan
For Respondents :: Mr.S.Ravichandran
Additional Government Pleader
for R1 to R3
Mr.E.Veda Bagath Singh
Special Government Pleader
for R4 to R8

ORDER

This writ petition has been filed for issuance of a mandamus directing the third respondent to issue 'No Objection' to the fifth and eighth respondents in order to enable the petitioner to register the documents before the fifth respondent and to apply for patta before the eighth respondent, based on the representation dated 28.03.2025 made to the second respondent and dated 15.04.2025 made to the first respondent.

2. When this writ petition came up for hearing on 16.06.2025, this Court passed the following order:-

“Mr.S.Ravichandran, learned Additional Government Pleader takes notice on behalf of respondents 1 to 3.



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2. Mr.E.Vijay Anand, learned Additional Government Pleader takes notice on behalf of respondents 4 to 8.

3.The only dispute to be resolved in the present writ petition pertains to the status of the property situated at S.No.348/1. The petitioner is relying upon the Sale Deed dated 16.12.1960 to trace the title and the petitioner has purchased the property by virtue of a Sale Deed dated 05.09.2003. The petitioner also obtained building plan. The petitioner wanted to deal with the property and the petitioner was asked to get the No Objection Certificate from the HR & CE Department. It is under these circumstance, the present writ petition has been filed before this Court seeking for appropriate reliefs.

4.The learned counsel for the petitioner submitted that S.No.348/1 has been categorized as Village Site (Grama natham). Since it is an occupied property, the predecessor in title and the petitioner will be considered to be the owner of the property. It was further submitted only insofar as S.No.347 and 348/2, it is in the name of the temple.

5.The learned Additional Government Pleader appearing on behalf of the respondents 4 to 8 shall take instructions from the 8th respondent as to whether S.No.348/1 has been categorized as a Grama Natham. Based on the instructions given by the 8th respondent, final orders will be passed in this writ petition.

6.Post this writ petition under the caption 'For Orders' on 10.07.2025.”

3. Pursuant to the above order, the matter was taken up for hearing



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today and the learned Special Government Pleader placed the report of the
Tahsildar dated 09.07.2025. The relevant portions are scanned and extracted
hereunder:-

மேற்படி தீர்ப்பு தொடர்பாக கொன்னூர்கிராமத்தின் Revision Survey and Re-Settlement
பதிவேடு (1911ம் ஆண்டு) பரிசீலனை செய்யப்பட்டதில் கீழ்க்கண்டவாறு பதிவுகள் உள்ளது.

S.No.as per R.S.RS Register	Old S.No.	Govt. or Inam	Dry, Manavari, Wet, Poromboke	Extent Ac.Cents	name of the Registered holder ;	Remarks
346	346	Inam R	Punjai	03-90	Sri Sowmya Damodhara Perumal Koil Nandavanam Time being Trustee	Within 50 yards from Gramanatham land
348/1	348	Government	Poromboke	35-99	----	Village Site கிராமநத்தம்
348/2	348	Inam R	Punjai	00-48	Sri Sowmya Damodhara Perumal Koil Nandavanam Time being Trustee	Within 50 yards from Gramanatham land

மனுதாரர் கிரைய ஆவண எண். 3739/2003ன்படி கொன்னூர்கிராமம், புலஎண். 348,
பரப்பு 1710 ச.அடி நிலத்தை திரு.பார்த்தசாரதி, திரு. கிருஷ்ணன், திரு. சடகோபன்,
திரு.இந்திராணி, திரு.சந்திரம், திரு.ரத்னா, திரு.இல்லிபாய், திரு.சம்பத், திரு.அமுதா
ஆகியோரிடமிருந்து கிரையம் பெற்றுள்ளார்.

மனுதாரர் கிரையம்பெற்ற நிலம் பிளாக் எண். 57, நகரபுலஎண். 37 Part மற்றும்
நகரபுலஎண். 40 Part ல் அமைகிறது. கணினி நிரந்தர நிலபதிவேட்டில் பிளாக் எண். 57,
நகரபுலஎண். 37 Part மற்றும் நகரபுலஎண். 40 Part ல் கீழ்க்கண்டவாறு பதிவாகியுள்ளது.

Taluk	Ayanavarm	Ayanavarm
Village	Konnur	Konnur
Block No.	57	57
T.S.No.	37	40
Old S.No.	346/1A1A part	348/1A Part and 346/1A1A part
Classification	Ryotwari Manai	Ryotwari Manai
Extent	Hec.Ares.Sq.mts 00 01 62.5	Hec.Ares.Sq.mts 00 06 08.5
Adangal	Sri Sowmya Damodhara Perumal	304, Sri Sowmya Damodhara Perumal Pattina Natham
How the holding is utilised ?	Tiled House	Tiled House
Remarks		---

மேலும், Transaction blocked for Temple lands Doss Letter R.C.No.K8/14889/2021
Dated : 09.08.2021 என குறிப்பிடப்பட்டு தடை செய்யப்பட்டுள்ளது.



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கொன்னூர் கிராம புல வரைபடம் மற்றும் தொகுதி வரைபடத்தை ஒப்பீடு செய்ததில் மனுதாரர் கிரையம்பெற்ற மொத்த பரப்பு 1710 ச.அ நிலம் கொன்னூர்கிராமத்தில் பழையபுலஎண். 346/1A1A (நகரபுலஎண். 37 பார்ட் மற்றும் 40 பார்ட்) ல் பரப்பு 47.0 ச.மீ (505 ச.அ) மற்றும் பழையபுலஎண். 348/1 (மற்றும் 40 பார்ட்) ல் பரப்பு 112.0 ச.மீ (1205 ச.அ) அமைந்துள்ளது.

கொன்னூர் கிராமத்தின் Revision Survey and Re-Settlement பதிவேடு (1911ம் ஆண்டு) என்படி புல எண்.346/1 ன் வகைபாடு இனாம் -பஞ்சை எனவும் பதிவு பெற்ற உரிமையாளர் ஸ்ரீசௌமிய தமோதர பெருமாள் கோவில் நந்தவனம் தற்கால தர்மகர்தா என பதிவாகியுள்ளது. புலஎண். 348/1 ன் வகைபாடு கிராமநத்தம் என பதிவாகியுள்ளது.

எனவே, மனுதாரர் கிரையம் பெற்ற மொத்த பரப்பு 1710 ச.அடி நிலத்தில் 1205 ச.அடி நிலத்தின் வகைபாடு Revision Survey and Re-Settlement பதிவேட்டின்படி கிராமநத்தம் ஆகும். ஆனால் தற்போது நகரளவைக்கு பின்னர் கணினி பதிவில் கொன்னூர் நகரம், பிளாக் எண். 57, நகர புலஎண். 40 ன் (பழைய புலஎண். 348/1A Part and 346/1A1A part) வகைபாடு ரயத்து மனை விஸ்தீரணம் 0.06.08.5 ஏர்ஸ் நிலம் ஸ்ரீசௌமிய தமோதர பெருமாள் கோவில் பெயரில் பதிவாகியுள்ளது. மேலும், Transaction blocked for Temple lands Doss Letter R.C.No.K8/14889/2021 Dated : 09.08.2021 என குறிப்பிடப்பட்டு தடை செய்யப்பட்டுள்ளதால் பழைய புலஎண். 348/1 ன் வகைபாடு குறித்து இந்து சமய அறநிலைய துறையின் கருத்துருவினை பெற்று இறுதி செய்யலாம் என்பதை பணிவுடன் தெரிவித்துக்கொள்கிறேன்.

4. Heard the learned counsels for the parties.

5. It is quite apparent from the written instructions given by the Tahsildar that initially Survey No.348/Re-Survey No.348/1 was always categorized as 'Grama Natham'. During re-survey, it seems that out of the total extent of 1710 square feet, 1205 square feet was categorized as 'Grama



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Natham' and the balance has been categorized as if it belongs to the temple.

WEB.COM This confusion had taken place during the re-survey and re-settlement.

6. In view of the above, it is clear that there is some claim made by the temple based on the re-survey and re-settlement. It is seen from the written instructions that the temple owns property in Survey No.348/2 measuring an extent of 48 cents. Therefore, if at all the temple claims any right over old Survey No.348, it must confine itself only to 348/2. If the temple is claiming right over 348/1 also, they have to workout their remedy in the manner known to law.

7. In the light of the above discussion, there is no need for the petitioner to get the 'No Objection' from the Executive Officer of the temple in order to deal with the property in Survey No.348/1 measuring an extent of 1710 square feet. Hence the fifth respondent can entertain the documents and register the same, if they are otherwise in order. Similarly, the Tahsildar can also entertain the application seeking for patta and pass appropriate orders. This direction will be without prejudice to the right of the temple to



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agitate their right in the manner known to law, if at all they are claiming any right over a portion of the property in Survey No.348/1.

8. This writ petition is disposed of in the above terms. No costs.

Index : yes/no
Neutral citation : yes/no

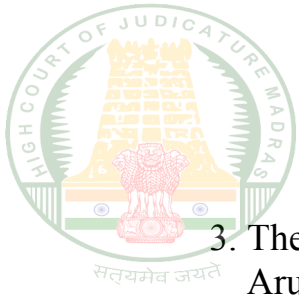
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ss

To

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