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W.P.No.31566 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.10.2025

CORAM

THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY

W.P.No.31566 of 2025 and
WMP.No.35374 of 2025

S.Nalini

... Petitioner

..Vs..

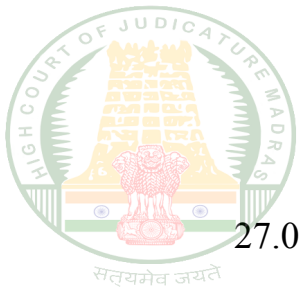
1. The Sub Registrar,
Moolanur, Dharapuram Taluk,
Tiruppur District.

2.The Commissioner,
Hindu Religious and Charitable
Endowments Department,
No 119, Utamar Gandhi Salai
Nungambakkam,
Chennai 34.

3.The Executive Officer,
Arulmgu Vanji Amman Thirukovil
Moolanur, Dharapuram Taluk,
Tiruppur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records realting to impugned order passed by the 1st respondent dated



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27.06.2025 bearing Na.ka No 252/ 2025 and quash the same and consequentially direct the 1st respondent to register the document relating to the petitioner property admeasuring an extent of 60 cnets in SF. No 530/1 bearign Patta no 125 situated at Moolanur villag,e Dharapuram Taluk.

For Petitioner : Mr.A.B.Rajasekaran

For Respondents : Mr.P.Harish
Government Advocate (R1)

ORDER

This Writ Petition has been filed challenging the order passed by the order passed by the 1st respondent dated 27.06.2025 bearing Na.ka No 252/ 2025 and quash the same and consequentially direct the 1st respondent to register the document relating to the petitioner property admeasuring an extent of 60 cents in SF. No 530/1 bearing Patta No. 125 situated at Moolanur village, Dharapuram Taluk.

2. The learned counsel appearing for the petitioner would submit that the petitioner is the absoulte owner of the aforesaid property and patta was also issued in his favour. While so, the petitioner intend to sell the subject property in favour Mrs.Suganthi. Hence, he executed a Sale



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Deed in favour of Mrs.Suganthi. When the same was presented before the Sub Registrar, Moolanur for registration, the said Authority refused to register the same, stating that “the land comprised in S.No.530/1 was earmarked as being under objections to be registered on the ground that the land belongs to HR & CE.”. Further, he would submit that earlier there was a dispute with respect to the aforesaid property between the petitioner's vendor and M/s.Sozheswara Swamy Temple and the same attained finality by virtue of Judgement of Principal Sub Court (Minor Inams Tribunal), Coimbatore dated 26.07.1972 in C.M.A.Nos.41 and 68 of 1971 in favour of the petitioner's vendor, pursuant to which patta was also issued in favour of the petitioner's vendor. That apart, no appeal has been preferred as against the said Judgment till date and therefore the order passed by the Minor Inams Tribunal attained finality. But the 1st respondent without considering the same, has refused to register the Sale Deed presented by the petitioner. He therefore prays to set aside the same.

3. The learned Government Advocate appearing for the 1st



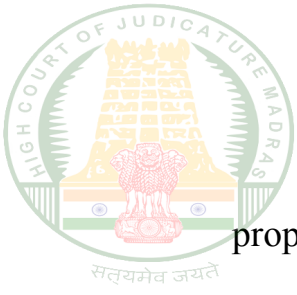
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respondent would submit that exparte order was obtained by the petitioner in the aforesaid C.M.A.Nos. and that apart objections were also received from the respondents 2 and 3. Therefore, the 1st respondent is not in a position to rregister the Sale Deed presented by the petitioner.

4. Heard the learned counsel appearing for the petitioner as well as learned Government Advocate appearing for the 1st respondent. Though Mr.K.Karthikeyan, learned Government Advocate entered appearance on behalf of the respondents 2 and 3, none appeared on their behalf. Perused the materials available on record.

5. Considering the facts and circumstances of the case and considering the submissions made by the learned counsel appearing for the petitioner as well as the learned Government Advocate appearing for the 1st respondent and upon perusing the materials available on record, it is clear that by virtue of the Judgment passed by this Court in C.M.A.Nos.41 and 68 of 1971, title have been decided in favour of the petitioner's vendor, pursuant to which patta was also issued in favour of the petitioner's vendor. Thereafter, the petitioner purchased the subject



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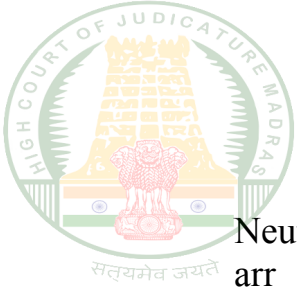
property from his vendor on 14.12.2000, pursuant to which petitioner was also granted patta in his favour. As long as the order passed by the Principal Subordinate Court, Coimbatore is not challenged and said order is in force till date, the 1st respondent cannot refuse to register the Sale Deed citing the reason that objections have been received from the respondents 2 and 3. In the above C.M.A.s though R2 and R3 are parties, they failed to appear before the Court below to contest the proceedings. Therefore, exparte order has been passed in favour of the petitioner. That apart, no steps have been taken by them to challenge the same till date. Such being the case, this Court is inclined to set aside the refusal order passed by the 1st respondent dated 27.06.2025.

6. Accordingly, this Writ Petition is disposed of. The impugned order dated 27.06.2025 passed by the 1st respondent is set aside. The 1st respondent is directed to register the Sale Deed executed by the petitioner, upon the production of same by the petitioner. No costs.

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Speaking/Non-speaking order
Index : Yes / No

5/7



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Neutral Citation : Yes / No

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Moolanur, Dharapuram Taluk,
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2.The Commissioner,
Hindu Religious and Charitable
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KRISHNAN RAMASAMY, J.

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