



W.P(MD)No.21467 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.08.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.21467 of 2024

and

W.M.P.(MD)No. 18153 of 2024

1. Logambal

2. D.Thirumoorthy

3. Minor.Aathmika,

represented by Guardian Father,

D.Thirumoorthy.

4. Minor.Aaganila,

represented by Guardian Father,

D.Thirumoorthy.

5. P.Monisha

6. P.Rahul

... Petitioners

Vs.

1. The Sub Registrar,

West Karur Sub Registration Office,

Karur.

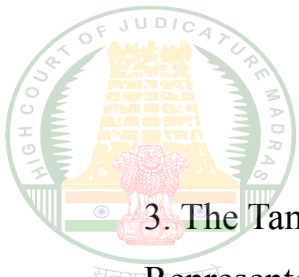
2. The Tamil Nadu Waqf Board,

Represented by its Principal Executive Officer,

No.1, Jabar Sirang Street,

Vallal Seethakathi Nagar,

Chennai -1.



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3. The Tamil Nadu Wakf Board,

Represented by Superintendent of Wakf,

8/124, 2nd Floor, Kaiythe Millath Road,

Palakarai, Trichy - 8.

...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the 1st respondent in Refusal Check Slip Number RFL/West Karur/Book 271 under pending Document No.06/2024 dated 10.05.2024 and to quash the same as illegal and arbitrary and without jurisdiction and consequently, to direct the 1st respondent to register the Mortgage Deed dated 23.01.2024 executed by the petitioners.

For Petitioners : Mr..K. Suresh

For R1 : Mr.S. Saji Bino
Special Government Pleader

For R2 : Mr. K. Jeyamohan

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to quash the impugned order passed by the 1st respondent in Refusal Check Slip Number RFL/West Karur/Book 271 under pending Document No.06/2024 dated 10.05.2024 and consequently, to direct the 1st respondent to register the mortgage deed dated 23.01.2024 executed by the petitioners.



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2.The contention of the petitioners is that the land belongs to them.

However, the respondents 2 and 3 are claiming title over the property stating that the land belongs to the Waqf.

3.When it is a Waqf land, the 1st respondent is bound to conduct enquiry by calling the petitioner as well as the Waqf and then pass orders as per the order passed in the case of ***Sudha Ravi Kumar and Another Vs. The Special Commissioner and Others*** in W.P.Nos.30589 of 2013 and batch, dated 05.04.2017.

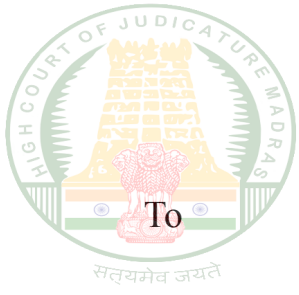
4.Therefore, the 1st respondent is directed to conduct an enquiry and pass orders in accordance to law.

5.With the above observations, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

08.08.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes

Tmg



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To

WEB COPY
The Sub Registrar,
West Karur Sub Registration Office,
Karur.



WEB COPY



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S.SRIMATHY, J.

Tmg

**ORDER MADE IN
W.P(MD)No.21467 of 2024**

DATED : 08.08.2025