



W.P.(MD)No.20142 of 2018

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:22.01.2025

CORAM:

THE HONOURABLE **MR.JUSTICE G.K.ILANTHIRAIYAN**

W.P.(MD)No.20142 of 2018

and

W.M.P.(MD)No.17892 of 2018

P.R.Radhakrishnan

... Petitioner

/Vs./

1. The District Revenue Officer
Madurai District,
Madurai.
2. The Special Tahsildar
Town Settlement Office,
Thirumangalam,
Madurai District.
3. The Assistant Commissioner
Hindu Religious and Charitable Endowment
Arlumigu Subramaniya Swamy Temple,
Thirupparankundram,
Madurai 625 005.
4. The Sub Registrar
Sub Registrar Office,
Thirumangalam,
Madurai District.
5. M.Rajasekaran

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus call for the letter issued by 2nd Respondent herein in Na.Ka.No.5/2017 Na.Ni.Thi dated 07.06.2018 and to quash the same, consequently direct the 4th respondent to permit the petitioner to register the document in respect of the petitioners property in T.S.No.175, Block No.3, Ward D, Maravankulam Village, ThirumangalamTaluk, Madurai District.

For Petitioner : Mr.S.Mahesbabu

For Respondents : Mr.D.GandhiRaj

Special Government Pleader for R1&2

: Mr.V.Chandrasekar for R3

: Mr.M.Sarangan

Additional Government Pleader for R4

ORDER

This writ petition has been filed challenging the order passed by the second respondent dated 07.06.2018, and consequently direct the fourth respondent to permit the petitioner to register the document in respect of the petitioners property in T.S.No.175, Block No.3, Ward D, Maravankulam Village, ThirumangalamTaluk, Madurai District.



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2. Heard the learned counsel on either side and perused the materials placed before this Court.

3. The land comprised in T.S.No.175 to an extent of 35 cents situated at Maravankulam Village, Tirumangalam Taluk, Madurai, originally belongs to one Krishnammal. Subsequently, she acquired the subject property by way of registered sale deed vide document No. 535/1992. Thereafter, it was sold out in favour of the petitioner's father , viz., Rengasamy Raja by way of registered sale deed vide document No. 1728/1960. Thereafter, the petitioner's father was issued patta under patta No.521. After demise of his father, legal heirs relinquished their right by way of release deed in favour of the petitioner. The petitioner had sold out some extent of the property, out of 35 cents in favour of third party by the sale deed vide document No.1398/2016.

4. While being so, the fifth respondent lodged a complaint, alleging that the subject property belonged to Subramaniaswamy temple. The petitioner's father was wrongly issued patta. On the strength



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of the patta, some extent of the property was sold out. Therefore, the second respondent had sent communication dated 07.06.2018, thereby, requested the fourth respondent not to register any document in respect of the subject property.

5. On perusal of the counter filed by the second respondent and on submission made by the learned counsel for the respondents, it revealed that on receipt of the representation from the fifth respondent, the second respondent, after issuing notice to the respondents 3 and 4 concluded that the subject land belongs to Tirupparankundram Arulmighu Subramaniaswamy temple, one Krishnammal had mortgaged 15 cents out of 35 cents in favour of the Government. However, she had sold out the entire property. In this regard, the enquiry is pending and the reply from the third respondent is awaited.

6. Therefore, this Court finds no infirmity or illegality in the communication sent by the second respondent dated 07.06.2018 and the writ petition is liable to be dismissed.



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7. Accordingly, this Writ Petition stands dismissed. However, the second respondent is directed to complete the enquiry and pass orders on the representation submitted by the fifth respondent, after giving opportunity herein to the petitioner and counter parties, within a period of twelve (12) weeks from the date of receipt of copy of this order. No costs. Consequently, connected Miscellaneous Petition is closed.

22.01.2025

Index : Yes / No
NCC : Yes / No
LS

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LS

4. The Sub Registrar
Sub Registrar Office,
Thirumangalam,
Madurai District.

Order made in
W.P.(MD)No.20142 of 2018

Dated:
22.01.2025