



W.P (MD).No.28565 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 10.01.2025

CORAM

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

W.P (MD).No.28565 of 2024

and

W.M.P(MD)Nos.24213 & 24226 of 2024

B.Dharavesh Mohideen

...Petitioner

Vs.

1.The District Registrar,
Madurai North,
Integrated Registrar Office,
Thirumogur Main Road,
Madurai.

2.The Sub-Registrar,
Sub-Registrar No.I,
Madurai North,
Madurai District.

3.The Executive Officer,
Sri Kallazhagar Temple,
Azhagar Kovil,
Madurai District.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Na.Ka.No.3880/R1/2024 dated 07.10.2024 on the file of the first respondent and quash the same as illegal and consequently direct the



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respondent Nos.1 & 2 to register the document presented by the petitioner for registration for the petitioner's lands in S.No.85/3, 85/4, 85/7 in Uthengudi Village, madurai East Taluk, Madurai District.

For Petitioner : M/s..K.Pandi Priya
For R1 & R2 : Mr.M.Sarangan
Additional Government Pleader
For R3 : Mr.S.Manohar

ORDER

This writ petition has been filed challenging the order passed by the first respondent, dated 07.10.2024, thereby, refused to register the sale deed in respect of the property comprised in S.Nos.85/3, 85/4, 85/7 in Uthengudi Village, Madurai East Taluk, Madurai District.

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

3. The property comprised in in S.No.85/3, 85/4, 85/7 in Uthengudi Village, Madurai East Taluk, Madurai District was purchased by the petitioner from one Dhanalakshmi Ammal, Thiruvengadam, Alamelu, Govinda Swamy, Indira, Malahalakshmi, Rengaramanujam and Lalitha by the registered sale



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deed, dated 19.01.2012 vide document No.429/2012. In turn, the petitioner intended to sell the property. However, the petitioner was directed to obtain No Objection Certificate from the third respondent. Therefore, the petitioner approached this Court by filing a writ petition in W.P(MD)No.12952 of 2024. This Court by an order dated 19.06.2024 directed the second respondent to conduct an enquiry under Section 22-A of the Registration Act in the light of the order passed by the Division Bench of this Court in the case of ***Sudha Ravi Kumar Vs. The Special Commissioner*** reported in ***(2017)3 CTC 135***.

4. Accordingly, the second respondent conducted an enquiry and rejected the request made by the petitioner on 07.10.2024. On perusal of the order passed by the second respondent revealed that a detailed enquiry was conducted after giving an opportunity of hearing to the petitioner. Accordingly, the subject property was given to the temple for doing some endowment, therefore, the property cannot be sold and not permitted to dealt with by any other person. In fact, no one has power to issue No Objection Certificate to deal with the property since the property was given for endowment and belong to the third respondent temple.



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5. In view of the above, the second respondent, if at all claiming title

over the property, has to approach the Civil Court for appropriate relief.

Accordingly, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Internet : Yes

Index : Yes/No

Speaking/Non Speaking order
am

10.01.2025

To

1.The District Registrar,
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Thirumogur Main Road,
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2.The Sub-Registrar,
Sub-Registrar No.I,
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G.K.ILANTHIRAIYAN, J.

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