

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 2.03.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P. No.5350 of 2015

and

MP.No.1 of 2015

S.Damodaran

rep. By his Power of Attorney

K.P.R.Dhanushkodi

... Petitioner

Vs.

1. The State of Tamil Nadu
rep. By its Secretary
Industries Department
Fort.St.George, Chennai -9

2. The Special Tahsildhar (L.A.)
Mannur, Valapuram, Nemili Scheme
SIPCOT Industrial Park,
Irunkattukottai

3. The Sub Registrar,
Sriperumbudur,
Kanchipuram 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 of the 2nd respondent dated 26.5.2014 in Na.Ka.No.1/13 M.V.N.(L.A.) and the consequential order issued by the 3rd respondent dated 27.01.2015 in No.23/2015, quash the same and consequently direct the respondents to register the sale deeds presented by the petitioner for registration.

For Petitioner : M/s.M.Raja Sekhar

For Respondent : Mr.R.Vijayakumar
Additional Government Pleader

O R D E R

Heard Mr.M.Raja Sekhar, learned counsel appearing for the petitioner, Mr.R.Vijayakumar, learned Additional Government Pleader appearing for the respondents and perused the materials available on record.

2. The petitioner seeks for a direction upon the respondents to register and release the Sale Deeds presented for registration in respect of the portion of land bearing Plot No.57, measuring an extent of 1843 sq.ft comprised in S.No.10/3, in Rajiv Gandhi Nagar, Nemili village, Sriperumbudur Taluk, Kancheepuram District. When the document was presented for registration, the 3rd respondent refused to register the same in the light of the proceedings issued by the 2nd respondent dated 26.05.2014. In the said proceedings, it has been stated that an extent of 230.21.0 hectares of patta puinja lands along with an extent of 28.87.5 hectares of Government Poramboke land is proposed to be acquired for the purpose of establishing an Industrial Park by SIPCOT. Therefore, the Sub Registrar had requested not to entertain any registration in respect of the lands covered in these survey numbers. Admittedly, the 3rd respondent has not rejected the petitioner's document or refused to register stating that it is a poramboke land.

3. When the matter is taken up today, it is brought to the notice of this Court that in identical circumstances, this Court, by order dated 20.01.2015 in W.P.No.33485 of 2014, has disposed of the matter with the following direction:

3. In the light of the above facts, there will be a direction to the petitioner to present the documents, viz., the Sale Deed dated 04.06.2014 along with a copy of this order to the 3rd respondent and on such presentation, the 3rd respondent shall verify as to whether the lands which is said to be purchased by the petitioner is the Government land. If it is not the Government land, the 3rd respondent is directed to entertain the document for registration subject to the compliance of other conditions and register the same, making it clear that the registration is subject to the acquisition proceedings, which may be initiated by the respondents 1 and 2.

4. Accordingly, this writ petition is also disposed of on the above terms. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The State of Tamil Nadu
rep. By its Secretary
Industries Department,
Fort.St.George, Chennai - 9.
2. The Special Tahsildhar (L.A.)
Mannur, Vallapuram, Nemili Scheme,
SIPCOT Industrial Park,
Irunkattukottai
3. The Sub Registrar,
Sriperumbudur,
Kanchipuram District.

+1cc to M/s.M.Raja Sekhar, Advocate, S.R.No.11162
+1cc to the Government Pleader, S.R.No.11572

सत्यमेव जयते

W.P. No.5350 of 2015

CA (CO)
CA (16/03/2015)

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