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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.09.2015

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THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P. (MD) No.16336 of 2015

and

M.P (MD) Nos.1 & 2 of 2015

S.Chandra

..Petitioner

Vs.

1.The Principal Secretary and
Commissioner of Land Administration,
Department of Land Reforms
Government of Tamilnadu,
Chepauk, Chennai.

2.The Inspector General of Registration,
100, Santhom High Road,
Chennai - 28.

3.The District Collector,
Sivagangai District,
Sivagangai.

4.The Revenue Divisional Officer,
Devakottai, Karaikudi Taluk,
Sivagangai District.

5.The District Registrar,
Karaikudi, Sivagangai District.

6.The Sub Registrar,
Karaikudi, Sivagangai District.

7.The Assistant Land Tax and
Settlement Officer,
Karaikudi Division, Madurai.

..Respondents

PRAYER:Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order made by the 4th respondent by his proceedings in Na.Ka.A1/1357/09 dated 25.03.2009 in so far as it relates to the petitioner's lands in Plot No.5, Nallayya Layout in Survey No.65/27 in Kalanivasal Village, Karaikudi Taluk, Sivagangai District and quash the same as illegal and consequently direct the 6th respondent to take on file and register documents in respect of the said lands.

For Petitioner

.. Mr.R.Boomirajan

For Respondents

.. Mr.M.Murugan

Government Advocate



ORDER

This writ petition has been filed for the issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order made by the 4th respondent by his proceedings in Na.Ka.A1/1357/09 dated 25.03.2009 in so far as it relates to the petitioner's lands in Plot No.5, Nallayya Layout in Survey No.65/27 in Kalanivasal Village, Karaikudi Taluk, Sivagangai District and quash the same as illegal and consequently direct the 6th respondent to take on file and register documents in respect of the said lands.

2. When the matter is taken up for hearing, it is represented that similar issues already came up before this Court by way of writ petitions viz., W.P.(MD)Nos.5966 and 5967 of 2015 dated 27.04.2015, wherein, this Court, after considering the earlier orders made in *T.Sundar vs. The Sub Registrar, Office of the Sub-Registrar, Palayamkottai, Tirunelveli* and another reported in 2010(2) CWC 159 of this Court, had allowed those writ petitions. Following those orders, this writ petition is also liable to be allowed.

3. Hence, by following the same, this writ petition is allowed. Consequently, the impugned order passed by the fourth respondent, dated 25.03.2009 is set aside. As and when the petitioner, present the documents for registration, if the same are in order, then the sixth respondent shall register the same, in the manner known to law. Consequently, the connected miscellaneous petitions are closed. No costs.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

- 1.The Principal Secretary and
Commissioner of Land Administration,
Department of Land Reforms,
Government of Tamilnadu,
Chepauk, Chennai.
- 2.The Inspector General of Registration,
100, Santhom High Road,
Chennai - 28.
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Sivagangai District, Sivagangai.
- 4.The Revenue Divisional Officer,
Devakottai, Karaikudi Taluk, Sivagangai District.
- 5.The District Registrar,
Karaikudi, Sivagangai District.
- 6.The Sub Registrar,
Karaikudi, Sivagangai District.



7.The Assistant Land Tax and
Settlement Officer,
Karaikudi Division, Madurai.

+1cc to M/s.R.Boomirajan, Advocate in SR.No.52982

+1CC to the Special Government Pleader, in SR.No.53282

W.P. (MD) No.16336 of 2015
09.09.2015

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PBK/MPA/SAR-II 15/09/2015 ::3P-10C::