

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 07.07.2017

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.14762 of 2004
and
W.P.M.P.No.17510 of 2004

1.R.Kandan
2. R.K.Unnamalai
3. R.K.Alagappan
4.R.K.Ganesan
(Rep by their Power of Attorney Agent R.Kandan) ... Petitioners
Vs -

1. The State of Tamil Nadu,
Represented by its Secretary to Government,
Commercial Taxes and Religious Endowment Department,
Chennai-9.
2. The District Collector,
Pudukottai District, Pudukottai.
3. The Inspector General of Registration,,
Santhome High Road,
Santhome, Chennai.
4. The Joint Sub-Registrar,
Pudukottai. ... Respondents

Prayer : Writ Petition filed under Article 226 of the
Constitution of India praying to issue Writ of Certiorari,
calling for the entire records relating to the order of the 2nd
respondent passed in Na.Ka.A3/3821/2003 dated 15.12.2003.

For Petitioners : Mr.M.Muthappan
For Respondents : Mr.V.Ayyathurai,
Addl. Advocate General,
Assisted by Mr.A.Zakir Hussain,
Govt. Advocate

O R D E R

According to the petitioner, the 2nd respondent issued a
letter to the Deputy Registrar not to entertain any document in
respect of unapproved layout. The primary issue in this writ

petition as to whether the District Collector has power to issue such letter to the registering authority governed by the Registration Act. Only the Inspector General of Registration has power to issue any direction.

2. Heard the learned Additional Advocate General and he has fairly conceded that the Deputy Collector has no power to issue such a direction to the registering authority and it is contrary to law. According to the guidelines, the Deputy Collector has no power to issue such a letter to the registering authority.

3. Recording the same, this writ petition is allowed, setting aside the order passed by the Deputy Collector. It is open to the authorities to invoke powers as against the unapproved layouts. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

ssn
To

1. The Secretary to Government,
Commercial Taxes and Religious Endowment Department,
Chennai-9.
 2. The District Collector,
Pudukottai District, Pudukottai.
 3. The Inspector General of Registration,,
Santhome High Road, Santhome, Chennai.
 4. The Joint Sub-Registrar,
Pudukottai.
- +1cc to the Government Pleader, Sr. 48125
+1cc to Mr.M.Muthappan, Advocate Sr. 48237
+1cc to Mr.A.Zakir Hussain, Advocate Sr. 48166

W.P.No.14762 of 2004
and
W.P.M.P.No.17510 of 2004

PA(CO)
VR(10/08/2017)