

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.03.2018

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

WP.No.32564 of 2013

G.Mohana

...Petitioner

Vs.

1. The Inspector General of Registration,
100, Santhome High Road,
Paattinampakkam, Chennai - 600 028.

2. The Sub Registrar,
SRO Ambattur,
Municipal Street,
Gopalsamy Street,
Ram Nagar, Chennai - 600 053.

...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the 2nd respondent herein to accept the sale deed presented by the petitioner pertaining to land for an extent of 1802 Sq.ft., out of Acre 0.50 Cents in Survey No.300/4 of 58, Thirumullaivoyal Village, Saidapet Taluk, Chengalpet District, Ambattur SRO, within the Registration District of North Chennai and Sub-Registration District of Ambattur and to register the sale deed without insisting upon "No Objection Certificate" from any authority, within the period as stipulated by this Court.

For Petitioner : Mr.Yusuf

For Respondents : Mr.V.Shanmuga Sundar, Spl.G.P.

ORDER

Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents and perused the materials available on record.

2. The case of the petitioner is that she purchased a vacant land to an extent of 1802 sq.ft. in Survey No.300/4 of No.58, at Thirumullaivoyal Village in Saidapet Taluk, through a registered sale deed. Since then, she has been in possession and enjoyment of the property.

3. The grievance of the petitioner is that she approached the 2nd respondent for execution of a sale deed in favour of the 3rd party, but she was directed to get "No Objection Certificate" from the Revenue Officials. Hence, the present Writ Petition.

4. The learned counsel for the petitioner submitted that the 2nd respondent refused to register the sale deed of the petitioner, on the basis of G.O.Ms.No.150, Commercial Taxes (J2) Department, dated 22.09.2000, but in the batch of Writ Petitions in W.P.No.24336 of 2002, etc., the said G.O. was set aside.

5. It is further submitted that the petitioner would be satisfied if a direction is issued to the 2nd respondent to consider the representation of the petitioner dated 22.11.2013.

6. The learned Special Government Pleader submitted that the 2nd respondent is ready to consider the representation of the petitioner in accordance with law.

7. In the light of the above submissions of the learned counsels on either side and facts of this case, this Court, without going into the merits of the case directs the 2nd respondent to consider the representation of the petitioner dated 22.11.2013 and pass appropriate orders, on merits and in accordance with law, after providing an opportunity of hearing to the necessary parties, within a period of eight weeks from the date of receipt of a copy of this order.

8. With the above direction, the writ petition is disposed of. No costs.

Sd/-
Deputy Registrar

//True copy//

Sub Assistant Registrar

pvs

To

1. The Inspector General of Registration,
100, Santhome High Road,
Paattinampakkam, Chennai - 600 028.

2. The Sub Registrar,
SRO Ambattur,
Municipal Street, Gopalsamy Street,
Ram Nagar, Chennai - 600 053.

+1cc to Mr.Nathan And Associates, Advocate SR.No.21931
+1cc to Government Pleader SR.No.22852

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GN(09/04/2018)