

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.18146 of 2018

Geetha

.. Petitioner

Vs.

1.The District Collector,
Thiruvallur District, Thiruvallur.

2.The District Registrar,
Kancheepuram, Kancheepuram District.

3.The Sub Registrar,
Red Hills, Chennai - 600 066.

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 26.06.2018 in accordance with law and direct the 3rd respondent to permit the petitioner to register the property bearing Patta No.930, Survey No.72/6 measuring about 2400 sq.ft., situated at No.118, Padiyanallur Village, Ponneri Taluk, Thiruvallur District in favour of one Shanthi as per the Sale Agreement dated 08.07.2017.

For Petitioner : Mr.K.Nagarajan

For Respondents: Mr.V.Jayaprakash Narayanan,
Special Government Pleader (R1)

Mr.T.M.Pappiah,
Special Government Pleader (R2 & R3)

O R D E R

The petitioner purchased the property bearing Patta No.930, Survey No.72/6 measuring about 2400 sq.ft., situated at No.118, Padiyanallur Village, Ponneri Taluk, Thiruvallur District from one Yasodha vide registered Document No.3500 of 2016 on the file of the Sub Registrar, Red Hills. After the said purchase, she had become absolute owner of the property. Thereafter, she intended to sell the property for her urgent needs to one Shanthi, w/o Thirupathy residing at Acharapakkam, Chennai. They have also entered into Sale Agreement on 08.07.2017, fixing the

sale consideration of Rs.16,80,000/-.

2.When the document was about to be executed and registered, the 3rd respondent did not permit the petitioner to execute the Sale Deed citing that the 1st respondent had passed an order in R.C.No.3258/2017/A2 (AD-Pts) dated 14.11.2017. Also based on the Government Order in G.O.Ms.No.78, Housing and Urban Development (UD.4(3)) Department dated 04.05.2017, the District Collector had instructed the District Registrar, Kancheepuram that unapproved layout areas of Bharath Nagar and Mahameru Nagar in Padiyanallur Panchayat of Sholavaram Block Kumaran Nagar of Palavoyal in Theethankariampattu of Puzhal Block were affected by water logging in the absence of drainage network. The layout owners have completely encroached the existing PWD Channels and water ways and converted the streets for the unapproved layouts. Hence, the Sub Registrar was instructed not to register the land documents that do not comply with the norms of providing land for drainage facility.

3.The learned counsel for the petitioner submitted that the petitioner had given a representation on 26.06.2018 to permit her to register the property bearing Patta No.930, Survey No.72/6 measuring about 2400 sq.ft., situated at No.118, Padiyanallur Village, Ponneri Taluk, Thiruvallur District in favour of one Shanthi as per the Sale Agreement dated 08.07.2017.

4.The learned Special Government Pleader appearing for the respondents readily agreed to consider the representation of the petitioner and the Government Order will be given effect appropriately.

5.In view of the above submission, the Writ Petition is disposed of with a direction to the 2nd respondent to consider the representation of the petitioner and do the needful to the petitioner. No costs.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

va

To

1.The District Collector,
Thiruvallur District, Thiruvallur.

2.The District Registrar,
Kancheepuram, Kancheepuram District.

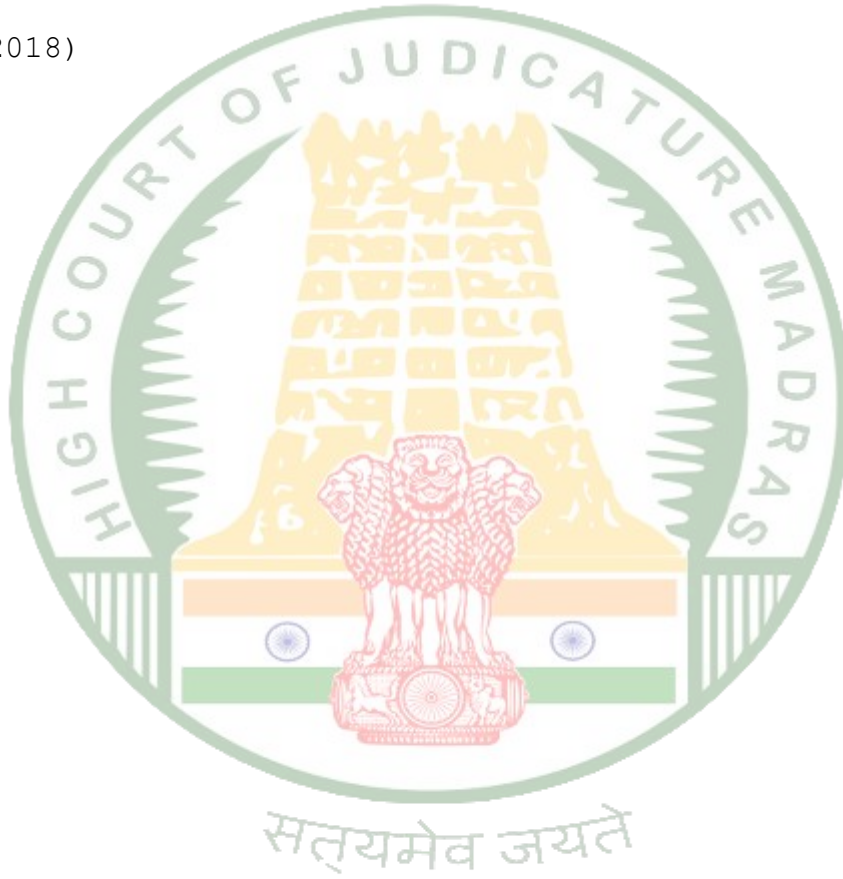
3.The Sub Registrar,
Red Hills, Chennai - 600 066.

+1cc to Mr.K.NAGARAJAN, Advocate, S.R.No. 47442

+1cc to the Government Pleader, S.R.No. 48102

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CA(CO)
TR(01/08/2018)



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