

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 14.11.2018

CORAM

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.29657 of 2018

L.Selvaganesan

.. Petitioner

Vs.

1. The District Registrar, (Administration),
Tindivanam,
Villupuram District.
2. The Sub-Registrar,
Vanur, Villupuram District.
3. The Assistant Commissioner,
Hindu Religious and Charitable Department,
Villupuram.

4.V.Sowriraja Udayar

... Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to register the sale deed dated 7.4.2016 with regard to the land in Survey No.R.S.No.46/6 of Elavavampattu Village, Kunnam Panchayat, Vanur Taluk, Vilupuram to the extent of 63 cents presented by the petitioner in accordance with law without insisting for No objection Certificate from the 3rd respondent within the time fixed by this Hon'ble Court.

For Petitioner : Mr.I.C.Vasudevan

For Respondent- 1&2 : Mr.P.P.Purushothaman
Government Advocate

For Respondent - 3 : Mr.M.Maharaja,
Special Government Pleader
(HR & CE)

O R D E R

The petitioner has filed this Writ Petition seeking a direction to the second respondent to register the sale deed

dated 7.4.2016 with regard to the land in Survey No.R.S.No.46/6 of Elavavampattu Village, Kunnam Panchayat, Vanur Taluk, Vilupuram, measuring an extent of 63 cents in accordance with law without insisting for No objection Certificate from the third respondent within the time that may be fixed by this Court.

2. The petitioner has purchased a land from the fourth respondent and presented the same before the second respondent for registration. The sale was on 07.04.2016. It is stated that the same is kept pending by the authorities, and in the guideline register maintained by the second respondent, it is shown as if the property belongs to the third respondent. The petitioner stated that it is a private land and produced the patta, chitta adangal extract, etc., standing in the name of the petitioner's predecessor-in-title. It is further stated that the second respondent has refused to register the sale deed and insisting on 'No Objection Certificate' from the third respondent, who is refusing to give the same.

3. Heard Mr.L.C.Vasudevan, learned counsel appearing for the petitioner, Mr.P.P.Purushothaman, learned Government Advocate appearing for the respondents 1 and 2 and Mr.M.Maharaja, learned Special Government Pleader (H.R & C.E) appearing for the third respondent.

4. In view of the above discussion, the second respondent is directed to issue notice to all the parties concerned, who are interested in the property mentioned in the sale deed calling for enquiry and if there is any objection, the second respondent before whom the document is presented, shall hold the summary enquiry, hear the case and then either register the document or refuse the document by passing appropriate orders assigning reasons. If any such order is passed, it will be open to the aggrieved party to go on a statutory appeal. Without following the said procedures, the second respondent cannot unnecessarily hold the document. The said exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order. No costs.

5. With the above directions, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Srn/av

To

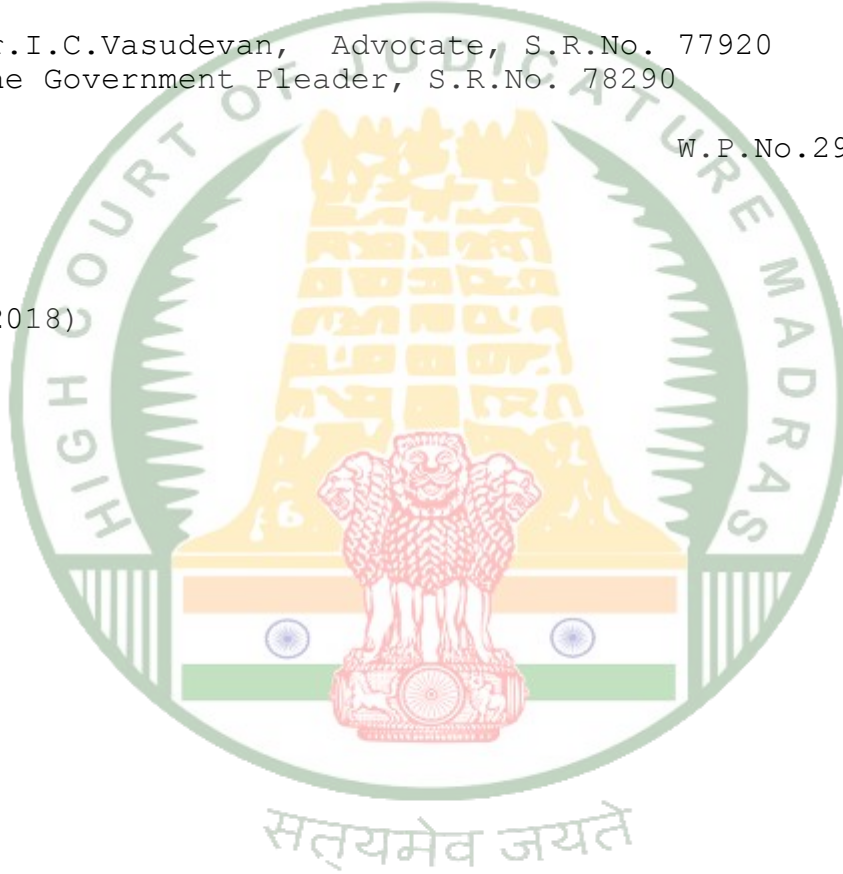
1. The District Registrar, (Administration),
Tindivanam,
Villupuram District.
2. The Sub-Registrar,
Vanur, Villupuram District.
3. The Assistant Commissioner,
Hindu Religious and Charitable Department,
Villupuram.

+1cc to Mr.I.C.Vasudevan, Advocate, S.R.No. 77920

+1cc to the Government Pleader, S.R.No. 78290

W.P.No.29657 of 2018

RK (CO)
GN (14/12/2018)



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