

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.07.2019

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.13034 of 2004
and WP.MP.No.15216 of 2004

George

..Petitioner

Vs

1.The State of Tamil Nadu,
Rep. by Secretary to Government,
Commercial Taxes and Religious Endowment Department,
Fort St. George, Madras 9.

2.The District Collector,
Tuticorin.

3.The Sub Registrar,
Tuticorin Keelur.

..Respondents

Prayer:- The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorari to call for the records on the file of the 2nd respondent in Na.Mu.Ka.No.7295/2003, dated 27.11.2003 and quash the same as illegal, incompetent and without jurisdiction.

For Petitioner : Mr.V.Lakshminarayanan

For Respondents : Mr.I.Sathish, AGP, for RR1 & 2

Mr.P.P.Purushothaman, G.A., for R3

ORDER

Heard the learned counsels appearing on either side and perused the materials available on record.

2. The petitioner has come forward with this Writ Petition to quash the circular issued by the second respondent in Na.Mu.Ka.No.7295/2003, dated 27.11.2003, thereby, no objection certificate was sought for registration of document.

3. It is submitted by the learned counsel for the petitioner that the circular impugned in this Writ Petition was quashed by this Court in W.P.No.7828 of 2004 on 06.03.2019 following the decisions of the Supreme Court reported in 2005 (4) CTC 606 and the Division Bench of this Court reported in 2007 (3) CTC 513.

4. In the light of the above fact, I am of the opinion that the petitioner is entitled to succeed in this Writ Petition. Accordingly, the Writ Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

pvs

To

- 1.The Secretary to Government,
The State of Tamil Nadu,
Commercial Taxes and Religious Endowment Department,
Fort St. George, Madras 9.
- 2.The District Collector,
Tuticorin.
- 3.The Sub Registrar,
Tuticorin Keelur.

+1 cc to M/s.V.Raghavachari, Advocate, S.R.No.61766

+1 cc to the Government Pleader, S.R.No.62355

W.P.No.13034 of 2004

PP (CO)
SSM(03/09/2019)

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