

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.07.2019

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.14131 of 2004
and WP.MP.No.16682 of 2004

1. S.Vanniaraj
2. B.Antony Xavier
3. Udaiyammal ..Petitioners

Vs

- 1.The State of Tamilnadu,
Rep. by the Secretary to Government,
Commercial Taxes and Religious Endowments Department,
Fort St. George, Chennai 600 009.
- 2.The Collector of Tuticorin District,
Tuticorin.
- 3.The Inspector General of Registration,
Santhome High Road, Santhome,
Chennai 600 004.
- 4.The Sub Registrar,
Pudukkottai,
Tuticorin Taluk and District. ...Respondents

Prayer:- The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorarified Mandamus by calling for the entire records of the 2nd respondent made in order No.Mu.Ka.Vu.Ni.4/7295/2003, dated 27.11.2003 and quash the same and direct the 4th respondent to receive and register the documents produced by the petitioners with respect to S.No.38/2, 40, 38/1, 38/3 and 41/1 measuring about 11 A - 60 cents at Maravan Madam Village, Tuticorin Taluk and District, within the Sub Registration District of Tuticorin Pudukottai, Tuticorin Taluk and District.

For Petitioners : Mr.N.Maninarayanan

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

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

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ORDER

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

2. The petitioners have come forward with this Writ Petition to quash the circular issued by the second respondent in Mu.Ka.Vu.Ni.4/7295/2003, dated 27.11.2003, thereby, no objection certificate was sought for registration of document.

3. It is submitted by the learned counsel for the petitioners 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 petitioners are 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-IV)

//True Copy//

pvs
To

Sub Assistant Registrar

- 1.The Secretary to Government,
The State of Tamilnadu,
Commercial Taxes and Religious Endowments Department,
Fort St. George, Chennai 600 009.
- 2.The Collector of Tuticorin District,
Tuticorin.
- 3.The Inspector General of Registration,
Santhome High Road, Santhome,
Chennai 600 004.
- 4.The Sub Registrar,
Pudukkottai,
Tuticorin Taluk and District.

+1 cc to M/s.N.Maninarayanan, Advocate, S.R.No.62242
+1 cc to the Government Pleader, S.R.No.62349

W.P.No.14131 of 2004

SV(CO)
SSM(28/08/2019)