



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2019

CORAM :

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WRIT PETITION NO.33545 OF 2019

Geetha

...Petitioner

Vs

1.The District Collector,
Collectorate, Tiruvallur.

2.The Sub-Registrar, Red Hills,
Chennai-66.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the first respondent herein to issue the no objection certificate to the petitioner and submit the same to the second respondent in respect of property bearing patta No.930 survey No. 72/6 measuring about 2400 sq.ft., situated at No.118, Padianallur Village, Ponneri Taluk, Tiruvallur District.

For Petitioner :Mr.K.Nagarajan
For Respondent-1 :Mr.M.Karthikeyan, AGP
For Respondent-2 :Mr.M.Tamilarasan, GA

ORDER

Mr.M.Karthikeyan, learned Additional Government Pleader accepts notice for the first respondent. Mr.M.Tamilarasan, learned Government Advocate accepts notice for the second respondent. Heard both. By consent, the writ petition itself is taken up for final disposal.

2. The petitioner is before this Court for the second time contending that she should be permitted to register the document in an area where there is an order issued by the first respondent prohibiting registration on the ground that the land falls in an unapproved layout and that there is severe water logging because of lack of drainage network. Earlier, the writ petition in WP.No.18146 of 2018 was disposed of on 18.7.2018 by directing the District Registrar, Kancheepuram to consider the representation given by the petitioner, pursuant to which, there



appears to have been a direction issued to the second respondent herein, who has also passed the order on 27.12.2018 stating that he will not be in a position to register the document unless and until the petitioner obtains a no objection certificate from the first respondent herein. In this regard, the petitioner also sent a representation dated 28.12.2018 to the first respondent.

3. The learned counsel for the petitioner submits that as of now, the Public Works Department completed the drainage work and that there will be no difficulty in accepting the petitioner's document for registration. However, since the earlier direction issued by the first respondent dated 14.11.2017 imposing a restriction on registration of documents is yet to be reviewed, the petitioner is put to prejudice.

4. It is not clear as to whether the Public Works Department completed the work in its entirety and if so, the first respondent herein is entitled to review his earlier orders dated 14.11.2017.

5. However, without expressing any opinion on the merits of the matter, the writ petition is disposed of by directing the petitioner to submit a fresh representation, along with a copy of this order, to the first respondent requesting that the earlier dated 14.11.2017 be reviewed and a no objection certificate be granted to the petitioner. If such a representation is submitted, the first respondent shall consider the same on merits and pass appropriate orders in accordance with law within a period of six weeks from the date of receipt of a copy of this order. No costs.

s/d-
Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

To

- 1.The District Collector, Collectorate, Tiruvallur.
- 2.The Sub-Registrar, Red Hills, Chennai-66.

+1 CC to Mr.K.Nagarajan, Advocate sr 100244
+1 CC to The Government Pleader sr 100727

WP.No.33545 of 2019

SP(06/12/2019)