



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 25.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P.(MD)No.10165 of 2019

and

W.M.P(MD) .Nos.7882 and 7883 of 2019

P.Saraswathi

... Petitioner

Vs

1.The District Revenue Officer,
Thoothukudi District,
Thoothukudi.

2.The Tahsildar,
Ottapidaram Taluk,
Thoothukudi District.

3.The Sub Registrar,
Registration Department,
Ottapidaram, Thoothukudi District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order Na.Ka.No.Aa2/196/2013 dated 27.08.2013 passed by the second respondent and consequently impugned order in RFL/OTTAPIDARAM/3/2018 dated 23.11.2018 passed by the third respondent and quash the same as illegal and consequently to direct the third respondent to register a sale deed dated 23.11.2018 presented by the petitioner.

For Petitioner : Mr.V.Nirmal Kumar
For Respondents : Mr.M.Murugan
Government Advocate

ORDER

The petitioner wants to sell her land that is located in Panchalankurichi. The third respondent is declining to receive the document for registration on the ground that the second respondent has issued proceedings forbearing such a registration without obtaining No Objection Certificate from the Revenue Divisional Officer, Kovilpatti.

2. This Court has consistently held that the Revenue authority cannot restrain the registering authority from discharging his statutory function. It is not as if the land in question has been included in the prohibitory index. This Court had allowed a similar writ petition on 19.02.2019 in W.P(MD).No.2799 of 2019. Therefore, the order impugned in this writ petition is set aside. The third respondent is directed to register the petition mentioned sale deed



presented by the writ petitioner.

3. The Writ Petition is allowed, accordingly. No costs. Consequently, connected Miscellaneous Petitions are closed.

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Sd/-

Assistant Registrar (w)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The District Revenue Officer,
Thoothukudi District,
Thoothukudi.
- 2.The Tahsildar,
Ottapidaram Taluk,
Thoothukudi District.
- 3.The Sub Registrar,
Registration Department,
Ottapidaram, Thoothukudi District.

+1cc to Mr.V.NIRMAL KUMAR, Advocate, SR.No. 62684

W.P. (MD) No.10165 of 2019
25.04.2019

RMK
KK/SAR/09.05.2019/ 2P- 5C

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