



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.9724 of 2019

P.Ramar

... Petitioner

Vs.

1. The Revenue Divisional Officer,
Kovilpatti Sub Division,
Thoothukudi District.
2. The Tahsildar,
Ottapidaram Taluk,
Thoothukudi District.
3. The Sub-Registrar,
Ottapidaram Sub Registrar Office,
Ottapidaram,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the third respondent in his proceedings RFL/Ottapidaram/14/2019 dated 11.04.2019, quash the same as illegal and consequently directing the third respondent to register the sale deed presented by the petitioner on 11.04.2019 in respect of house site to an extent of 324.972 sq.meter(8.03 cents) situated in Resurvey No.13/1, Ottapidaram Taluk, Panchalankurichi Village.

For Petitioner : Mr.P.Banuprasath
For Respondents : Mr.M.Murugan,
Government Advocate.

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O R D E R

Heard the learned counsel on either side.

2. With the consent of both the parties, the Writ petition is taken up for final disposal, at the admission stage itself.

3. The petitioner wants to sell the petition mentioned property. One Sudalaimuthu had purchased the same on 11.04.2019. The sale deed was presented for registration before the third respondent. The third respondent however declined to receive the document on the ground that the impugned communication has been received from the first respondent stipulating that without getting



No Objection Certificate from the revenue department, the document in respect of the petition mentioned land cannot be registered. That has necessitated the filing of this Writ petition, questioning the refusal check slip issued by the third respondent.

4. In a number of decisions, this Court had held that it is not open to the Revenue Divisional Officer, Kovilpatti, to restrain the registering authority from registering the documents in respect of the lands in Panchalankurichi Village. Quite a few such orders have been enclosed in the typed set of papers. One such order is dated 16.10.2015 made in W.P.(MD)No.17060 of 2015. Respectfully following the said order, the order impugned in this Writ petition stands quashed.

5. The Writ petition stands allowed, accordingly. The third respondent is directed to register the petition mentioned sale deed. No costs.

Sd/-

Assistant Registrar (Cr1 Side)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Revenue Divisional Officer,
Kovilpatti Sub Division, Thoothukudi District.
2. The Tahsildar,
Ottapidaram Taluk, Thoothukudi District.
3. The Sub-Registrar,
Ottapidaram Sub Registrar Office,
Ottapidaram, Thoothukudi District.

+1cc to Mr.P.BANUPRASATH, Advocate, SR.No.62217
+1cc to M/s.Special Government Pleader,SR.No.62905

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24.04.2019

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