



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.03.2019

CORAM:

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

W.P.(MD)No.18680 of 2018

S.Umadevi

... Petitioner

Vs

- 1.The Revenue Divisional Officer,
Kovilpatti Sub Division,
Thoothukudi District.
- 2.The Tahsildar,
Ottapidaram Taluk,
Thoothukudi District.
- 3.The District Registrar,
Registration Department,
Thoothukudi District,
Thoothukudi.
- 4.The Sub-Registrar,
Ottapidaram Sub Registrar Office,
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 passed by the fourth respondent in his proceedings A.Thi.Mu.No.1/2018 dated 17.01.2018 quash the same as illegal and consequently directing the fourth respondent to register the sale deed presented by the petitioner on 17.01.2018 in respect of punja land to an extent of 1.21.5 Hectares (3 Acres) situated in Resurvey No.491/5, Ottapidaram Taluk, Panchalankurichi Village comprised in patta No.530.

For Petitioner : Mr.P.Banuprasath

For Respondents : Mr.M.Murugan
Government Advocate

ORDER

The petitioner wants to sell her land that is located in Panchalankurichi. The fourth respondent is declining to receive the document for registration on the ground that the first 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 fourth 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 Petition is closed.

Sd/-

Assistant Registrar (CO)

// 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 District Registrar,
Registration Department,
Thoothukudi District,
Thoothukudi.

4. The Sub-Registrar,
Ottapidaram Sub Registrar Office,
Ottapidaram, Thoothukudi District.

+1cc to Mr.P.Banuprasath, Advocate, SR.No.55554

+1cc to M/s.Special Government Pleader, SR.No. 55936

W.P. (MD) No.18680 of 2018

RMK

KK/SAR/02.04.2019/ 2P- 7C