

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 19.03.2020
CORAM
THE HON'BLE MR.JUSTICE N.ANAND VENKATESH
W.P.Nos.34248, 34250 & 34251 of 2019

A.Vijayakumar ..Petitioner
in W.P.No.34248/2019

T.Shanthi ..Petitioner
in W.P.No.34250/2019

D.Balakrishnan ..Petitioner
in W.P.No.34251/2019

.v.

The Sub Registrar,
Office of Sub Registrar,
Mettur,
Salem District. Respondent
in All WPs

Prayer in W.P.No.34248/2019:- Writ petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the impugned records in relating to Check Memo No.55 of 2019 dated 25.11.2019 issued by the respondent and quash the same, consequently direct the respondent to register the petitioner's Sale Deed dated 25.11.2019 in respect of property situated in Ward B, Block No.11, T.S.No.10 (Old No.38, T.S.No.10), Mettur Town, Mettur Taluk, Salem District.

Prayer in W.P.No.34250/2019:- Writ petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the impugned records in relating to Check Memo No.57 of 2019 dated 21.11.2019 issued by the respondent and quash the same, consequently direct the respondent to register the petitioner's Sale Deed dated 21.11.2019 in respect of property situated in Ward B, Block No.4, T.S.No.7 (Old No.36, T.S.No.7), Mettur Town, Mettur Taluk, Salem District.

Prayer in W.P.No.34251/2019:- Writ petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the impugned records in relating to Check Memo No.54 of 2019 dated 21.11.2019 issued by the respondent and quash the same, consequently direct the respondent to register the petitioner's Sale Deed dated 21.11.2019 in respect of property situated in Ward B, Block No.11, T.S.No.10 (Old No.38,

T.S.No.10), Mettur Town, Mettur Taluk, Salem District.

For Petitioner : Mr.M.R.Jothimanian
(in All WPs)

For Respondent : Mr.T.M.Pappiah
(in All WPs) Special Government Pleader

COMMON ORDER

All the writ petitions filed challenged the Refusal Check Slip issued by the respondent refusing to register the Sale Deeds presented by the petitioners.

2.The main ground on which the check slip was issued by the respondent was that the property concerned is an unapproved plot and there is a bar in registering the same under Section 22A of the Indian Registration Act, 1908.

3.The learned Special Government Pleader appearing on behalf of the respondent submitted that a circular has been issued by the I.G. of Registration to the concerned registration Officers based on the Government letter dated 16.03.2020. A copy of the same was also furnished before this Court. The relevant clause in the Government letter which covers these cases is Clause 7. This contemplates registration of house sites without prior permission where it is shown that the same house site has previously registered as a house site. The learned Special Government Pleader submitted that the petitioners can be directed to re-present the Sale Deeds again before the respondent and the same will be considered in line with the Government letter dated 16.03.2020.

4.Heard Mr.Jothimanian, learned counsel appearing for the petitioner in all the writ petitions.

5.In view of the specific stand taken by the respondent, all the writ petitions are disposed of, by directing the petitioners to resubmit the Sale Deeds before the respondent and the respondent shall take it on file and deal with the same in accordance with the Government letter dated 16.03.2020 and the letter of the I.G of Registration, dated 18.03.2020. A final decision will be taken within a period of two weeks from the date of presentation of the documents.

All the Writ Petitions are disposed of with the above directions. No costs.

Sd/-
Assistant Registrar(CS)

//True Copy//

<https://hcservices.ecourts.gov.in/hcservices/>

Sub Assistant Registrar

KP
To

The Sub Registrar,
Office of Sub Registrar,
Mettur, Salem District.

+3ccsto Mr.M.R.Jothimanian , Advocate SR.No. 24293,24295,24294
+1 cc to Government Pleader Sr.No. 24494
W.P.Nos.34248, 34250 & 34251/2019

A.SK (20/03/2020)



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