



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2021

CORAM

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P. (MD)No.13355 of 2021

WEB COPY

Velusamy

... Petitioners

Vs.

1. The District Collector,
Office of the District Collector,
Karur, Karur District.
2. The District Registrar,
Office of the District Registrar,
Karur District Collector Office,
Karur, Karur District.
3. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Karur District, Karur.
4. The Sub-Registrar,
Office of the Sub-Registrar,
Karur, Karur District.
5. The Joint Sub-Registrar (No.2),
Office of the Joint Sub-Registrar (No.2),
Karur, Karur District.
6. The Assistant Commissioner,
Hindu Religious Endowment Board,
Karur District, Karur.
7. The Tahsildar,
Office of the Tahsildar,
Manmangalam, Karur District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to directing the respondents to direct the fifth respondent to allow the documents presented by the petitioner for register the sale deed in Karur District, Manmangalam Taluk, Vangal Village at Survey No.1222/B by considering appeal submitted by the petitioner dated 28.09.2020 in accordance with law within time stipulated by this Court.

For Petitioner : Mr.R.Rajaselvan
For Respondents : Mr.P.Subbaraj,
Counsel for State



O R D E R

The petitioner seeks registration of a sale deed in respect of the property bearing Survey No.1222/B.

2. The petitioner states that he is the owner of the property bearing Survey No.1222/B and that his attempt to register the sale deed has been rejected by the fifth respondent. He further states that he submitted an appeal before the second respondent on 28.09.2020 requesting such respondent to review the refusal order dated 03.09.2020. In spite of the passage of almost one year, it is stated that the second respondent has not disposed of the appeal.

3. Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of all the respondents and states that refusal to register the sale deed is in accordance with the Registration Act, 1908 and the rules framed thereunder. Without prejudice, he submits that the appellate authority may be directed to consider and dispose of the appeal on merits.

4. Accordingly, without going into the merits of the matter, the second respondent herein is directed to consider the appeal filed by the petitioner on 28.09.2020 and dispose of the same by a reasoned order after providing a reasonable opportunity to the petitioner and any other persons affected by the appeal. Such reasoned order shall be passed within a period of two months from the date of receipt of a copy of this order.

5. W.P(MD).No.13355 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

pkn

To

1. The District Collector,
Office of the District Collector,
Karur, Karur District.
2. The District Registrar,
Office of the District Registrar,
Karur District Collector Office,
Karur, Karur District.



3. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Karur District, Karur.
4. The Sub-Registrar,
Office of the Sub-Registrar,
Karur, Karur District.
5. The Joint Sub-Registrar (No.2),
Office of the Joint Sub-Registrar (No.2),
Karur, Karur District.
6. The Assistant Commissioner,
Hindu Religious Endowment Board,
Karur District, Karur.
7. The Tahsildar,
Office of the Tahsildar,
Manmangalam, Karur District.

+1 CC to M/s.GP (SR-25170[F] dated 04/08/2021)

+1 CC to M/s.R.RAJASELVAN, Advocate (SR-25240[F] dated 04/08/2021)

W.P. (MD)No.13355 of 2021

03.08.2021

=CN(12.08.2021) 3P 10C