



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.NO.9621 OF 2022

R.Udhayashankar

...Petitioner

Vs.

1.The Union of India,
Rep. by its Secretary,
Government of Pondicherry.

2.The Sub-Registrar,
Oulgaret, Pondicherry.

3.The Authorized Officer (Land Reforms),
Office of the Sub-Collector,
North (Revenue),
Puducherry.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the second respondent to register the sale deed pertaining to the petitioner's property in Uzhavarkarai Municipality, Reddiarpalayam Revenue Village, Koundanpalayam, Ambal Nagar, Re-survey No.31/8, Khadasthar No.1418, bearing Plot No.19, measuring an extent of 1231 sq.ft. situated within the sub-registration district of Oulgarpet.

For Petitioner : Mr.D.Prabhakaran

For Respondents : Mr.J.Kumaran
Additional Government Pleader
(Puducherry)

O R D E R

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus to direct the second respondent to register the sale deed pertaining to the petitioner's property in Uzhavarkarai Municipality, Reddiarpalayam Revenue Village, Koundanpalayam, Ambal Nagar, Re-survey No.31/8, Khadasthar No.1418, bearing Plot No.19, measuring an extent of 1231 sq.ft., situated within the Sub-Registration District of Oulgarpet.



2. The case of the petitioner is that the petitioner had purchased the aforesaid property from Mr.Subramaniam @ Nedunchezhiyan and Mr.Vinayagam @ Siva, vide a registered Sale Deed bearing Document No.3830 of 1997, dated 01.10.1997, on the file of the Sub-Registrar Office, Oulgaret, Puducherry. Thereafter, the petitioner had decided to sell the aforesaid property for his son's education and approached the second respondent/Sub-Registrar for Registration Process. However, the second respondent refused to register the Sale Deed, on the ground that the guideline value of the property is given as 'zero'. Therefore, the petitioner has made a representation dated 11.02.2022 before the respondents, seeking to fix the guideline value of the aforesaid property to enable him to sell the property to the prospective buyer for his son's education. As the said representation made by the petitioner has evoked no response from the respondents, the petitioner has filed the present Writ Petition.

3. The learned counsel for the petitioner submitted that, during the pendency of land reforms proceedings before the third respondent, the petitioner is trying to alienate the aforesaid property. However, the second respondent refused to register the Sale Deed. Further, he submitted that it is sufficient, if this Court issues a direction to the third respondent to conclude the land reforms proceedings initiated against the petitioner and pass orders on the same within a particular time frame fixed by this Court.

4. The learned Additional Government Pleader appearing for the respondents has no objection for said order being passed.

5. In view of the aforesaid submissions, this Court, without expressing any opinion on the merits of the case, directs the third respondent to conclude the land reforms proceedings initiated against the petitioner and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order, if not concluded.

6. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CO)

// True Copy //

Sub Assistant Registrar

jd/rap



To

1.The Secretary,
The Union of India,
Government of Puducherry.

2.The Sub-Registrar,
Oulgarpet,
Pondicherry.

3.The Authorized Officer (Land Reforms),
Office of the Sub-Collector,
North (Revenue),
Puducherry.

+1cc to Mr.D.Prabhakaran, Advocate Sr.No.27119

+1cc to the Special Government Pleader Sr.No.27399

W.P.No.9621 of 2022

SKM(CO)
RVM(19/05/2022)