



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

WP.NO.9649 OF 2022

N.Purushothaman

... Petitioner

Vs

1. The Sub Registrar,
Office of the Sub Registrar,
Gandhipuram, Coimbatore.
2. The Executive Engineer/Administrative Officer,
TNHB Unit, Coimbatore Unit,
Tatabad, Coimbatore-18.

... Respondents

Prayer :- Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first respondent to receive and register the sale deed presented for registration with temporary Registration No.TP/1117452283/2022 dated 23.02.2022 executed by the petitioner in favour of Mr.Johny Richard conveying the property admeasuring 1327.50 Sq. ft. in S.No.s533/1, 2 & 3 Vellikinar Village, Coimbatore North Circle, Coimbatore District.

For Petitioner : Mr.R.N.Amarnath

For Respondents : Mr.Yogesh Kannadasan, SGP

ORDER

This writ petition is filed seeking direction to the first respondent to receive and register the sale deed presented for registration with temporary Registration No.TP/1117452283/2022 dated 23.02.2022 executed by the petitioner in favour of Mr.Johny Richard.

2. The case of the petitioner is that one Poovathal and others were joint owners of the property admeasuring 0.73 acres



in S.No.533/1. One Kalaichamy was the owner of 0.84 acres of land in S.No.533/3 and one Nachimuthu was the owner of 0.91 acres of land in S.No.533/2 of Velliknar Village. The said lands were subjected to Land acquisition proceedings under Land Acquisition Act for the purpose of implementing the scheme of the Tamil Nadu Housing Board, Viz., Anna Nagar Neighbourhood Scheme. The land Acquisition proceedings came to be challenged in W.P.No.14620/2017 and 14638 of 2014. The said writ petitions were allowed by this Court dated 23.06.2014. Challenging the said orders, the Government have filed appeal. The said appeals were also dismissed. After succeeding the cases, the said Nachimuthu sold his property to one Kuppuraj and Kavitha by sale deed dated 19.09.2014. The petitioner purchased the property from one Poovathal and others. Thereafter, the petitioner developed the property as house sites consisting of 45 plots by getting planning permission from the competent authority by order dated 07.09.2018. The petitioner sold 44 plots to various persons. When the petitioner presented the said documents for the sale of the property of land in Plot No.7, the first respondent refused to receive the same as he was received a letter dated 10.09.2020 from the second respondent stating that encumbrance can be created in S.No.533/1, 2 & 3, due to which, the petitioner made a representation dated 07.03.2022 to the first respondent. However, the first respondent has not taken any steps so far. Therefore, the petitioner has filed the present writ petition with the afore said prayer.

3. The learned counsel for the petitioner submitted that this Court may issue a directions to the respondents to consider the representations dated 07.03.2022 made by the petitioner and to receive and register the sale deed presented for registration with temporary Registration No. TP / 1117452283 / 2022, dated 23.02.2022 executed by the petitioner within the stipulated time as fixed by this Court.

4. The learned Special Government Pleader appearing on behalf of the respondents submitted that the representation will be considered and necessary action will be taken in accordance with law within the reasonable time as fixed by this Court.

5. Heard, the learned counsel for the petitioner as well as the learned Special Government Pleader appearing for the respondents, and perused the materials available on record.

6. Considering the facts and circumstances of the case and the limited request made by the learned counsel for the petitioner, this Court directs the respondents to consider the representation of the petitioner dated 07.03.2022 and register



the sale deed presented for registration with temporary Registration No. TP /1117452283 /2022, dated 23.02.2022 executed by the petitioner, after giving opportunity to the necessary parties, if the document is otherwise in order, on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above directions, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

Rli

To

1. The Sub Registrar,
Office of the Sub Registrar,
Gandhipuram, Coimbatore.
2. The Executive Engineer/Administrative Officer,
TNHB Unit, Coimbatore Unit,
Tatabad, Coimbatore-18.

+1cc to Mr.R.N.Amarnath, Advocate, S.R.No.28065

+1cc to the Government Pleader, S.R.No.28898 (03/06/2022)

WP.No.9649 of 2022

SMI (CO)
RLP (26/04/2022)