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W.P.No.4039 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2022

CORAM :  
THE HONOURABLE MR. JUSTICE M.DHANDAPANI

**Writ Petition No.4039 of 2014**

C.Abirami

... Petitioner

Vs.

1.The Inspector General of Registration,  
Santhome, Chennai – 600 001.

2.The District Registrar (Central Chennai),  
Seethammal Road,  
Allwarpet, Chennai – 600 018.

3.The Sub Registrar,  
Ambattur, Chennai – 600 023.

4.The Thasildhar,  
Ambattur Taluk,  
Ambattur.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus, directing the 2<sup>nd</sup> and 3<sup>rd</sup> respondents to register and return the Document P.No.115 of 2013 dated 21.06.2013 (Sale Deed dated 26.03.2013) to the petitioner without insisting upon any No Objection Certificate within a period of ten days from the date of receipt of copy of this order.



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For Petitioner : Mr.V.Raghupathi

For Respondents : Mr.D.Ravichander,  
Special Government Pleader

### **ORDER**

The petitioner has filed this petition seeking direction to the the 2<sup>nd</sup> and 3<sup>rd</sup> respondents to register and return the Document P.No.115 of 2013 dated 21.06.2013 (Sale Deed dated 26.03.2013) to the petitioner without insisting upon any No Objection Certificate within a period of ten days from the date of receipt of copy of this order.

2. The case of the petitioner is that the petitioner has purchased a property situated in Plot No.20 to an extent of 1362.75 Sq.ft in S.No.302/9 and 302/10 (New Sub Division Survey Nos.302/9A1 and 302/10A1) of No.16, Thirumulaivayal Village, “ROYAL RESIDENCY NAGAR” from one P.Gnanadurai for a sale consideration of Rs.5,45,100/-. The said vendor executed the sale deed in favour of the petitioner on 26.03.2013 and the same was presented before the third respondent for registration dated 21.06.2013.



However, the third respondent refused to register the document in favour of the petitioner and rejected the same on the ground that the petitioner has not obtained No Objection Certificate from the Revenue Authorities as per G.O.Ms.No.150, Commercial Tax Department, dated 22.09.2000 and kept the same as pending document in P.D.No.115 of 2013 dated 21.06.2013. Hence, the present writ petition.

3. Learned counsel for the petitioner submits that the grievance of the petitioner is that, the petitioner presented the document before the third respondent for registration and the same is pending vide Pending Document No.115 of 2013 dated 21.06.2013. Hence, this Court may issue a direction to the respondents to register the said document in respect of the subject property within the time frame to be fixed by this Court.

4. The learned Special Government Pleader appearing for the respondents submitted that the document presented by the petitioner was rejected on the ground that the patta produced by the petitioner is bogus and the same was not issued by the competent authority. Hence the writ petition becomes infructuous.



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5. Heard the learned counsel appearing on either side and perused the materials placed on record.

6. In view of the fair stand taken by the learned Special Government Pleader, this Court is not inclined to issue any affirmative direction in favour of the petitioner. Accordingly, this writ petition is dismissed with liberty to the petitioner to work out her remedy in the manner known to law. No costs.

**16.09.2022**

vm

Index : Yes/No

Speaking Order : Yes/No

To:

- 1.The Inspector General of Registration,  
Santhome, Chennai – 600 001.
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Seethammal Road,  
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4.The Thasildhar,  
Ambattur Taluk,  
Ambattur.

**M.DHANDAPANI,J.**

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