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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.04.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.NO.21939 OF 2014

S.Rajeswari

...Petitioner

vs.

1. The District Collector,
Tiruvallur District,
At Tiruvallur.
2. The District General of Police,
Mylapore, Chennai-600 004.
3. The Inspector General of Registration,
No.100, Santhom High Road,
Mylapore, Chennai-600 004.
4. The Deputy Inspector General of Registration,
No.100, Santhom High Road,
Mylapore, Chennai-600 004.
5. The Assistant Inspector General of Registration,
No.100, Santhom High Road,
Mylapore, Chennai-600 004.
6. The Sub Registrar,
Avadi Sub Registrar Office,
Chennai-600 054.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 08.07.2014 and thereby direct the respondents 1 and 2 to issue No Objection Certificate for alienating the property situated in Survey No.498/4B, Plot No.6, Annai Kamala Nagar, Morai Village, Ambattur Taluk, Tiruvallur District totally to an extent of 2,400 sq.ft and thereby direct the respondents 3 to 6 to register the petitioner's document in respect of the property in Survey No.498/4B, Plot No.6, Annai Kamala Nagar, Morai Village, Ambattur Taluk, Tiruvallur District totally to an extent of 2,400 sq.ft immediately.



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For Petitioner : Mr.S.Sundaresan
for M/s.A.Rajesh Kanna

For Respondents : Mr.V.Veluchamy,
Additional Government Pleader

ORDER

The petitioner has filed this Writ petition seeking issuance of a Writ of Mandamus to direct the respondents to consider the petitioner's representation dated 08.07.2014 and issue No Objection Certificate (in short 'NOC') for alienating the property situated in Survey No.498/4B, Plot No.6, Annai Kamala Nagar, Morai Village, Ambattur Taluk, Tiruvallur District totally to an extent of 2,400 sq.ft and consequently direct the respondents 3 to 6 to register the petitioner's document in respect of the above said property as early as possible.

2. The case of the petitioner is that, she purchased the properties in Survey Nos.498/4 and 510/1, according to New Patta No.901, the Patta Survey No.498/4B in which Plot No.6 Annai Kamala Nagar, Morai Village, Ambattur Taluk, Tiruvallur District, measuring an extent of 2,400 sq.ft., from one S.Ravi Kumar, Power Agent of one Veerannan for a valid consideration, vide Document No.7617/2008 on the file of Sub Registrar Office, Avadi. After purchasing the said property, the petitioner is in absolute possession and enjoyment of the same. Whiles, the petitioner with an intention to alienate the said property, approached the 6th respondent for execution of sale deed, however, the 6th respondent has refused to register the sale deed presented by the petitioner and directed the petitioner to obtain No Objection Certificate from 1st and 2nd respondent for registering the document. Therefore, the petitioner made a representation dated 08.07.2014 before the respondents herein for issuance of NOC and for registering the document presented by her, however, till date, no orders have been passed on the said representation. Hence, the present Writ petition is filed with the above prayer.

3. Though very many grounds have been raised, learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the respondents to consider the petitioner's representation dated 08.07.2014 and issue NOC to the petitioner and consequently register the document presented by the petitioner.

4. Learned Additional Government Pleader appearing on behalf of the respondents has no serious objection for the said order being passed and he fairly conceded that the petitioner's representation dated 08.07.2014 will be considered and



appropriate orders will be passed within the time that may be fixed by this Court.

5. In view of the limited relief sought for by the petitioner, this Court without going into the merits of the case, directs the respondents to consider the petitioner's representation dated 08.07.2014 on merits and pass appropriate orders in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order, after affording opportunity of personal hearing to the petitioner.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

skt

To:

1. The District Collector,
Tiruvallur District,
At Tiruvallur.
2. The District General of Police,
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6. The Sub Registrar,
Avadi Sub Registrar Office,
Chennai-600 054.

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+1cc to the Government Pleader, S.R.No.23819

W.P.No.21939 of 2014

NR (CO)
PM/26/04/2022