



WEB COPY



W.P. No. 15863 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2022

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

W.P. No. 15863 of 2017
and W.M.P. Nos. 17175 & 17176 of 2017

N.Siva Kumar

... Petitioner

-VS-

The Sub Registrar,
Gandhipuram,
Coimbatore.

... Respondent

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorarified Mandamus to call for the records in pertaining to the impugned order dated 28.05.2014 in pending document No.P 36/2007 dated 05.06.2007 passed by the respondent herein and quash the same and direct the respondent herein to hand over the pending document No.P-36/2007 dated 05.06.2007 after registering the same.

For Petitioner	: Mr. C.R.Prasannan
For Respondents	: Mr. E.Vijay Anand Additional Government Pleader

ORDER

This writ petition has been filed seeking to quash the impugned order dated 28.05.2014 in pending document No.P 36/2007 dated 05.06.2007 passed by the respondent herein and and direct the respondent herein to hand over the pending document No.P-36/2007 dated 05.06.2007 after registering the same.



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2. The case of the petitioner is that the petitioner along with one Parameswaran, Abul Sathar and Gopal have jointly purchased the lands in S.F.No.905/1 measuring an extent 4.95 acres in Palapatti Village, coimbatore from one Narayasamy under registered document dated 05.06.2007. The said document was presented for registration before the respondent on 05.06.2007 and the respondent has kept the same as pending document No.P-36/2007. After enquiry, the respondent has refused to register the sale deed and passed the impugned order dated 28.05.2014 stating that the lands in S.F.No.905/A is a pond, which belongs to PWD. Challenging the said order, the present petition has been filed.

3. Learned counsel for the petitioner submitted that the petitioner has presented a document for registration only in respect of S.F.No.905/1, but the respondent has demanded to produce the patta and chitta in respect of S.F.No.905/A. Therefore, on the sole ground, the learned counsel seeks to quash the impugned order and allow this petition.

4. Learned Addl. Government Pleader submitted that admittedly the petitioner presented a document for registration in respect of S.No.905/1, but the respondent has mentioned in the impugned order as S.F.No.905/A, which is



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a pond and the same belongs to PWD. Admittedly, there was an error found in the impugned order passed by the respondent.

5. Heard both sides and perused the materials available on record.

6. In view of the fair submission made by the learned Addl. Government Pleader, this Court sets-aside the impugned order dated 28.05.2014 passed by the respondent and directs the petitioner to produce the necessary revenue records in respect of S.No.905/1. Upon receipt of such production, the respondent is directed to entertain the said pending sale deed and pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order.

7. With the above direction, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

07.11.2022

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Index: Yes/No



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M.DHANDAPANI, J.

Rli

To

The Sub Registrar,
Gandhipuram,
Coimbatore.

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07.11.2022