



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **12.04.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.6865 of 2022

and

W.M.P.[MD]No.5278 of 2022

M.Samuel Sudir

... Petitioner/Petitioner

/Vs./

1. The Inspector General of Registration,
O/o. The Inspector General of Registration,
100, Santhome High Road,
Foreshore Estate,
Chennai-600 028.

2. The District Registrar,
Palayamkottai Registration Office,
Palayamkottai,
Tirunelveli District.

3. The Sub Registrar,
Palayamkottai Sub Registration Office,
Palayamkottai Taluk,
Tirunelveli District.

... Respondents/Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records on the file of the 3rd respondent in connection with the impugned order of rejection passed vide his order No.5549A.Aa/2021 dated 27.08.2021 and quash the same is illegal and arbitrary and consequentially direct the 2nd and 3rd respondents to Register and release the Sale Deed in his favour for the property in Survey No.124/2A, to an extent of 9 ¼ cents situated at Keelnatham village, Palayamkottai, Tirunelveli District within the time limit that may be stipulated by this Court.

For Petitioner : Mr.K.Sankar

For Respondents : Mr.J.John Rajadurai
Government Advocate

ORDER

This writ petition has been filed challenging the order dated 27.08.2021 rejecting the sale deed presented by the petitioner for registration. The petitioner has challenged the impugned order on the ground of violation of principles of natural justice and also on



the ground that the impugned order is a non-speaking order.

2. According to the petitioner, he is entitled to get the sale deed registered. But, however, by a non-speaking order, without affording any opportunity of hearing, the third respondent has passed the impugned order rejecting the sale deed presented by the petitioner for registration.

3. This Court has perused and examined the impugned order. As rightly contended by the learned counsel appearing for the petitioner, it is a non-speaking order and no opportunity of hearing has been granted to the petitioner. Without giving any reasons, the third respondent has rejected the sale deed presented by the petitioner for registration.

4. Therefore, this Court is of the considered view that the impugned order has to be necessarily quashed and the matter has to be remanded back for fresh consideration. Accordingly, the impugned order dated 27.08.2021 is quashed and the matter is remanded back to the third respondent for fresh consideration on merits and in accordance with law.

5. The third respondent is directed to pass final orders with regard to the sale deed presented by the petitioner for registration, after affording a fair hearing to the petitioner and any other necessary party, whom the third respondent deems fit to enquire, including granting them the right of personal hearing, within a period of eight (8) weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (RTI)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1. The Inspector General of Registration,
O/o. The Inspector General of Registration,
100, Santhome High Road,
Foreshore Estate, Chennai-600 028.



2. The District Registrar,
Palayamkottai Registration Office,
Palayamkottai,
Tirunelveli District.

3. The Sub Registrar,
Palayamkottai Sub Registration Office,
Palayamkottai Taluk,
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+1 CC to M/s.S. SANKAR, Advocate (SR-18639[F] dated 13/04/2022)

W.P. [MD]No.6865 of 2022

12.04.2022

RD(28.04.2022) 3P 5C