



W.P.(MD)Nos.10890 & 1665 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 06.07.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)Nos.10890 & 1665 of 2022

and

W.M.P.(MD)No.1465 of 2022

In W.P.(MD)No.10890 of 2022

Rajeswari

... Petitioner

Vs.

1.The Sub Registrar,
Office of the Sub Registrar,
Pudur,
Vilathikulam Taluk,
Tuticorin District.

2.Seethammal

3.V.Subburam

4.V.Rama Subbu

5.V.Sithannan

6.V.Pushpavalli

... Respondents

(R2 to R6 are impleaded vide order dated 14.06.2022 in
W.M.P.(MD)No.8284 of 2022 in W.P.(MD)No.10890 of 2022)

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records



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relating to the Refusal Check Slip bearing No.RFL/PUDUR/2022, dated 29.04.2022, passed by the first respondent and quash the same and consequently, direct the respondent to register the sale deed dated 29.04.2022 presented by the petitioner for registration based on the documents relating to the ownership of his vendor, without insisting for any further documents with respect to the sale of an extent of 76.60 sq.mtrs together with its superstructure out of a total extent of 132 sq.mr, situated in Natham S.No.1774/51 (Old Natham S.No.328/1 part), bearing Old Door No.6/40 and 6/40A, New Door No.6/30 in Soorappanaickanpatti Vilalge, Mettilpatti Panchayat, Vilathikulam Taluk, Tuticorin District.

For Petitioner	: Mr.S.Chandrasekaran
For R1	: Mr.J.K.Jeyaseelan Government Advocate
For R2 to R5	: Mr.Porkodi Kannan for M/s.Polax Legal Solution

In W.P.(MD)No.1665 of 2022
S.Kadarkarai

... Petitioner

Vs.

- 1.The District Revenue Officer,
Collectorate,
Tuticorin.
- 2.The Revenue Divisional Officer,
Kovilpatti,
Tuticorin District.
- 3.The Tahsildhar,



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Taluk Office,
Vilathikulam,
Tuticorin District.

4.Seethammal

5.V.Subburam

6.V.Rama Subbu

7.V.Sithannan

8.V.Pushpavalli

9.L.Krishnasamy

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the first respondent bearing Na.Ka.No.D6/24793/2021, dated 10.12.2021 and quash the same and consequently, direct the respondents 1 to 3 to grant patta in favour of the petitioner with respect to an extent of 132 sq.mtr, situated in Natham S.No.1774/51 (Old Natham S.No.328/1 part), bearing Old Door No.6/40 and 6/40A, New Door No.6/30, in Soorappanaickanpatti Village, Mettilpatti Panchayat, Vilathikulam Taluk, Tuticorin District.

For Petitioner : Mr.Mr.V.Radhakrishnan
Senior Counsel

For R1 to R3 : Mr.J.K.Jayaseelan
Government Advocate

For R4 to R7 : Mr.Porkodikannan
for M/s.Polax Legal Solution



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COMMON ORDER

Since these writ petitions are inter-linked, they are taken up together and disposed of by a common order.

2. The issue that arose before the District Revenue Officer, Tuticorin was whose name should appear in the revenue record in respect of the petition mentioned property. The name of the private respondents figured in the revenue record. Questioning the same, the petitioner in W.P.(MD)No.1665 of 2022 moved the District Revenue Officer, Tuticorin and demanded that only the name of his father who was actually in physical possession of the property should appear. After hearing both sides, the District Revenue Officer, Tuticorin passed the order dated 10.12.2021 relegating the petitioner to move the jurisdictional civil Court. Questioning the said order dated 10.12.20121, W.P.(MD)No.1665 of 2022 came to be filed. In the mean while, the said petitioner had alienated a portion of the said property in favour of one Rajeswari. When the document was presented for registration, the Sub Registrar, Pudur, Vilathikulam Taluk, Tuticorin District declined to



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register the same on the ground that the revenue record did not reflect the name of the executant. He also issued a Refusal Check Slip dated 29.04.2022 to that effect. Questioning the same, W.P.(MD)No.10890 of 2022 came to be filed.

3. During the pendency of the writ petitions, a consensus had been arrived at between the parties. A joint memo signed by the parties as well as their respective counsel had been filed before this Court. Since the issues have been amicably settled and the private respondents have no objection for recognizing the right of the petitioner in W.P.(MD)No.1665 of 2022, the order dated 10.12.2021 passed by the District Revenue Officer, Tuticorin is set aside. The Tahsildar, Vilathikulam is directed to issue patta in favour of Thiru.S.Kadarkarai S/o.N.Subba Naickar forthwith and without any delay. W.P.(MD)No.1665 of 2022 is allowed.

4. Since W.P.(MD)No.1665 of 2022 has been allowed and the jurisdictional Tahsildhar has been mandated to issue patta in favour of the executant of the document that is the subject matter of W.P.(MD)No. 10890 of 2022, on production of the same, the Sub Registrar, Pudur,



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Vilathikulam Taluk, is directed to register the same as and when it is re-submitted for registration subject to fulfilment of the other usual formalities. W.P.(MD)No.10890 of 2022 is allowed on these terms. No costs. Consequently, connected miscellaneous petitions are closed.

06.07.2022

Index : Yes / No
Internet : Yes/ No
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To

- 1.The Sub Registrar,
Office of the Sub Registrar,
Pudur,
Vilathikulam Taluk,
Tuticorin District.
- 2.The District Revenue Officer,
Collectorate,
Tuticorin.
- 3.The Revenue Divisional Officer,
Kovilpatti,
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- 4.The Tahsildhar,
Taluk Office,
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G.R.SWAMINATHAN,J.

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and
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