



W.P(MD)No.14323 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.12.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.14323 of 2019

P.M.Thangadurai Pandian

... Petitioner

Vs.

The Sub Registrar,
Theppakulam Sub Registration District,
Rajagambeeram, Madurai.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to release the sale deed dated 28.02.2008 presented for registration on 28.02.2008 in pending document no.P42/2008 on his file with due registration endorsement.

(Prayer is amended vide order dated 29/07/2019 made in WMP(MD).No.13045 of 2019 in WP(MD).No.14323 of 2019 by RSKJ).

For Petitioner : Mr.R.Sundar Srinivasan

For Respondent : Mr.N.Satheeskumar,
Addl. Government Pleader.



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ORDER

Heard the learned counsel on either side.

2.The petitioner is a purchaser of the property covered under the sale deed dated 28.02.2008. It was executed in his name by Abdul Raheem and Mohammed Mansoor. It appears that the said property is a Wakf property. The respondent therefore had insisted that the petitioner must obtain no objection certificate from the Wakf Board. It is not clear as to whether such no objection certificate was obtained. The respondent had only two options open to him namely, (a) to issue refusal check slip or (b) register the document. In this case, the respondent had issued refusal check slip on 14.11.2016. It is quite possible that along with the refusal check slip, the original document was also returned. If the respondent has not done so, the respondent is directed to return the same forthwith and without any delay.

3.The writ petition is allowed on these terms. No costs.

14.12.2022

Index : Yes / No
Internet : Yes/ No
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To:-

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The Sub Registrar,
Theppakulam Sub Registration District,
Rajagambeeram, Madurai. .



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G.R.SWAMINATHAN, J.

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