



W.P(MD)No.18925 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.08.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.18925 of 2022

Vasanthakumari

... Petitioner

Vs.

1.The Sub Registrar,
O/o. The Sub Registrar,
Sankarankovil,
Tenkasi District.

2.The Assistant Commissioner,
A/m.Sankaranarayasamy Temple,
Sankarankovil,
Tenkasi Distirct.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the first respondent to register the sale deed by accepting the documents for registration to be submitted by the petitioner with regard to Plot No.133, Door Nos.612, 612A in NG.O.'A' Colony in Survey No.438A/1A1A, Re-Survey No.620/1 in House Patta No.862 situated in Kalappakulam Village, Sankarankovil Taluk, Tenkasi District within a time frame stipulated by this Court.



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W.P(MD)No.18925 of 2022

For Petitioner : Mr.N.Sankar Ganesh

For Respondents : Mr.J.K.Jayaselan,
Government Advocate for R1.
Mr.V.R.Shanmuganathan for R2.

ORDER

Heard the learned counsel on either side.

2.The petitioner proposes to present the document in respect of the petition mentioned plot. The petitioner apprehends that the first respondent will not accept the same on the ground that No Objection Certificate will have to be obtained from the second respondent. I expressed my view that the petition has been prematurely filed. It is clarified that when the petitioner presented a document in respect of the another plot in the same lay-out for registration, the first respondent issued a refusal check slip. He anticipates the same experience if the petition mentioned document is also presented for registration.

3.I find the apprehension of the petitioner to be legitimate. Notice was ordered to the respondents. The learned counsel appearing for the second respondent, on instructions, states that the property in question had already



W.P(MD)No.18925 of 2022

been permitted to be sold by the Commissioner and that therefore, the second respondent has no objection to consider the petitioner's request.

4.In view of the same, the first respondent is directed to accept the document to be presented for registration by the writ petitioner in respect of the petition mentioned plot, register and release the same. It is needles to add that the petitioner will have to comply with the other formalities.

5.The Writ Petition is allowed accordingly. No costs.

22.08.2022

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

The Sub Registrar,
O/o. The Sub Registrar,
Sankarankovil,
Tenkasi District.



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W.P(MD)No.18925 of 2022

G.R.SWAMINATHAN, J.

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W.P(MD)No.18925 of 2022

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