



W.P.(MD)No.21044 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.11.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.21044 of 2022

V.Rajangam

... Petitioner

Vs

1.The Inspector General of Registration,
No.110, Santhome High Road,
Pattinappakkam, Chennai-600 028.

2.The District Registrar,
Periyakulam,
Theni District.

3.The Sub-Registrar,
Periyakulam,
Theni District.

4.The Block Development Officer,
Periyakulam, Theni District

...Respondents

(The 4th respondent is suo-motu impleaded
as per the order of this Court, dated 23.11.2022)

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned Refusal Check Slip issued by the third respondent in Refusal No.RFL/1, dated 08.08.2022 and quash the same and direct the third respondent to register the Memorandum of Deposit of Title Deed presented by the petitioner by considering his representation, dated 29.08.2022 within the time frame fixed by this Court.



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(Prayer amended vide Court Order
dated 23.09.2022)

For Petitioner : Mrs.J.Padhmaavathi Devi
For R1 to R3 : Mr.K.S.Selvaganesan
Additional Government Pleader

ORDER

The petitioner has prayed for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned Refusal Check Slip issued by the third respondent in Refusal No.RFL/1, dated 08.08.2022 and quash the same and direct the third respondent to register the Memorandum of Deposit of Title Deed presented by the petitioner by considering his representation, dated 29.08.2022 within the time frame fixed by this Court.

2.Heard Mrs.J.Padhmaavathi Devi, learned counsel appearing for the petitioner and Mr.K.S.Selvaganesan, learned Additional Government Pleader appearing for the respondents.

3. The learned counsel appearing for the petitioner would submit that the petitioner is working as Wireman in the office of the Assistant Engineer, TANGEDCO, Madhurapuri Section Office. He is serving the Electricity Board for more than 2 decades. Out of his hard earned money, he has purchased a land measuring 4 cents 72 sq.ft., in S.Nos.2674/2A1A1, 2674/3A1A1 and



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2674/11 vide a registered sale deed dated 14.12.2020 under Document No.

2820/2020. After a lapse of 2 years, he wished to build a house in the above land and in furtherance he applied for a loan for before the Electricity Board. The Board has allotted an amount of Rs.18,00,000/- to the petitioner and has also Rs.9,00,000/- has been disbursed as first installment and the same is received by the petitioner vide Memo No.005536/421/SE/TEDC/TNI's Adm.O/Adm.II/A4/F.HBA/Priority No.4/2021-2022, dated 23.12.2021. Thereafter, the Board has issued No Objection Certificate and has sent a letter dated 19.07.2022 to register an MOD (Memorandum of Deposit of Title Deeds) in respect of the ongoing construction. Hence, he went to the third respondent office to register the MOD and has applied on 18.07.2022 through online and has obtained the Reg.No.REG202207182741444. While being so, the third respondent has issued a refusal check slip on 08.08.2022 under Refusal No.RFL/1 with a reason for refusal as unapproved/not regularized house site. The said act of the third respondent is highly unacceptable as he cannot refuse the registration without any valid rules or regulations for refusing the same. He has constructed his house upto lintel level and the ceiling work in the ground floor is stalled due to want of funds. If the same is not continued in time, the construction would be wasted in toto. Hence, the petitioner made representation in person on 29.08.2022 to register the MOD as the construction



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is not able to be continued from the month of May 2022. Challenging the refusal check slip, dated 08.08.2022, the petitioner has filed the present writ petition.

4. Though the petitioner has come forward with a larger prayer, at the time of hearing, the learned counsel for the petitioner would submit that if a direction is given to the Block Development Officer, Periyakulam, who is suo motu impleaded by this Court, to consider the case of the petitioner, the petitioner would be satisfied.

5. In view of the limited prayer that has now been sought for, this writ petition is disposed of with a direction to the petitioner to give an application to the Block Development Officer, Periyakulam, who is suo motu impleaded by this Court. On receiving the said application, the Block Development Officer, Periyakulam is directed to consider the case of the petitioner as per the present procedure established for regularizing the un-approved plot and orders shall be passed as expeditiously as possible.



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WEB COPY 6. With the above direction, the writ petition stands disposed of. No costs.

23.11.2022

Index : Yes/No
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To

1. Inspector General of Registration,
No.100, Santhome High Road,
Mandavelipakkam,
Raja Annamalaipuram,
Chennai-600 028.
2. The Deputy Inspector General of Registration,
Rajakampeeram, Y.Othakadai,
Madurai District.
3. The District Registrar (ADMIN),
District Collectorate Campus,
Dindigul-624 004.
4. The Sub-Registrar,
Natham,
Dindigul District.

Copy To

The Block Development Officer,
Office of the Block Development Office,
Periyakulam.



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V.BHAVANI SUBBAROYAN, J.

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