



W.P(MD)No.28142 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.12.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.28142 of 2022

and

W.M.P.(MD)No.22215 of 2022

S.Joseph Arputharaj

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Kovilpatti Sub Division,
Thoothukudi District.

2.The Tahsildar,
Ottapidaram Taluk,
Thoothukudi District.

3.The Sub Registrar,
Ottapidaram Sub Registrar Office,
Ottapidaram,
Thoothukudi District.

... Respondents

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 of the 3rd respondent herein in his proceedings in Refusal Check Slip in RFL/Ottapidaram/34/2022, dated 08.12.2022 and quash the same and consequently direct the 3rd respondent herein to register the sale deed dated



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07.12.2022 presented by the petitioner in respect of land R.S.No.513/3 to an extent of 1.21.05 Hectares (3 Acres) in Panchalankurichi Village, Ottapidaram Taluk, Thoothukudi District.

For Petitioner : Mr.N.Pandivelrajan

For Respondents : Mr.S.Shanmugavel,
Addl. Government Pleader.

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Government Advocate appearing for the respondents.

2. The petitioner is the purchaser of the petition mentioned property. When the sale deed was presented for registration, the third respondent declined to register the same by citing the impugned communication issued by the Tahsildar.

3. The learned counsel appearing for the petitioner draws my attention to the order dated 16.10.2015 made in W.P(MD)No.17060 of 2015. The said Writ Petition also involved the very same issue. The said order was followed in a number of decisions. Since the case on hand is covered by the same, the



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impugned order is quashed. The registering authority is directed to register the petition mentioned sale deed and release the same subject to fulfilment of the usual formalities.

4. This writ petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

23.12.2022

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

- 1.The Revenue Divisional Officer,
Kovilpatti Sub Division,
Thoothukudi District.
- 2.The Tahsildar,
Ottapidaram Taluk,
Thoothukudi District.
- 3.The Sub Registrar,
Ottapidaram Sub Registrar Office,
Ottapidaram,
Thoothukudi District.



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G.R.SWAMINATHAN, J.

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