



W.P.No.6433 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

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M.Ravichandran

... Petitioner

Vs

The Sub Registrar,
Pappireddipatti,
Dharmapuri District.

... Respondent

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the refusal check slip No.RFL/Pappireddipatti/3/2023 issued by the respondent dated 24.01.2023 quash the same and direct the respondent to register a joint land sale deed dated 24.01.2023 of the petitioner.

For Petitioner : Mr.V.Elangovan
for Mr.V.Duraivaiyapuri

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader

ORDER

The prayer sought for herein is for a Writ of Certiorarified Mandamus calling for the records relating to the refusal check slip No.RFL/Pappireddipatti/3/2023 issued by the respondent dated 24.01.2023 quash the same and direct the respondent to register a joint land sale deed dated



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24.01.2023 of the petitioner.

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2. The petitioner already purchased a larger extent of land situated at Bairnatham Village, Pappireddipatti Taluk from one Manickam adjacent land at Survey No.29/4A and to the extent of remaining 4 cents of land, now the petitioner wanted to purchase, therefore he presented a document to that effect to the respondent, that has been refused for registration and a refusal check slip in this regard has been issued by the respondent dated 24.01.2023 that is impugned herein.

3. In this context, Mr.V.Elangovan, learned counsel appearing for the petitioner would submit that already a larger extent of agricultural land has been purchased by the petitioner, however for want of fund, this land which is adjacent or contiguous to the earlier land purchased has not been purchased, therefore now the petitioner wanted to purchase the remaining land and presented the document, merely because, it is a small extent, the respondent treated it as housing plot and not an agricultural land and therefore he wanted approval and on that ground he has refused to receive the document for registration which is bad in law, he contended.



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4. Heard Mr.Yogesh Kannadasan, learned Special Government Pleader appearing for the respondent who would submit that if it is not an agricultural land certainly it is a house site, but if it is an agricultural land and contiguous land of the land already purchased, the same would be inspected by the respondent and accordingly a decision would be taken in this regard,; he contended.

5. In view of the aforestated submission made by the learned Special Government Pleader, this Court is inclined to dispose of this writ petition with the following orders:

That the impugned order is set aside and the matter is remitted back to the respondent for reconsideration. While reconsidering the same, it is open to the respondent to have a spot inspection of the land concerned to verify as to whether the land in question is contiguous land of the earlier land purchased by the petitioner and in that case there can be no further impediment for the respondent to consider the document for registration and therefore he can do the needful in that line to register the document if it is otherwise in order



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thereafter within a period of six weeks from the date of receipt

WEB COPY of a copy of this order.

6. With this direction, this Writ Petition is disposed of. No costs.

03.03.2023

Index : Yes / No

Speaking Order : Yes / No

Sgl

To
The Sub Registrar,
Pappireddipatti,
Dharmapuri District.



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R.SURESH KUMAR, J.

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