



Writ Petition No.6920 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :03.03.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.6920 of 2023

Mrs.Nirmala

... Petitioner

-Vs-

1. The Sub-Registrar,
Singanallur,
Coimbatore District.

2. The Special Officer,
Vellalur Selection Grade Panchayath,
Vellalur, Coimbatore – 641 333.

... Respondents

Prayer : Writ Petitions under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent to register and return the petitioner's document dated 02.02.2023 in Check Slip No.4/2023 on the basis of the representation dated 14.02.2023 and 20.02.2023.

For Petitioner : Mr.S.Venkatesh

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader[R1]
Mr.S.Balamurugan,
Government Advocate[R2]



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ORDER

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The prayer sought for herein is for a writ of mandamus directing the first respondent to register and return the petitioner's document dated 02.02.2023 in Check Slip No.4/2023 on the basis of the representation dated 14.02.2023 and 20.02.2023.

2. The petitioner presented a document for registration before the first respondent Sub-Registrar, which has been refused for registration and a refused Check Slip dated 06.02.2023 has been issued. Challenging the same, the present writ petition has been filed.

3. The sum and substance of the reasons stated by the first respondent in the impugned communication i.e., Refusal Check Slip dated 06.02.2023 is that, the documents pertaining to the petitioner's approval i.e., Coimbatore Local Planning Authority order and other documents have to be produced by the petitioner, then only, the document presented by the petitioner for registration would be taken up for consideration.



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4. Heard Mr.S.Venkatesh, learned counsel appearing for the petitioner, who would submit that, after getting such an approval from the Local Planing Authority of Coimbatore by proceedings dated 17.04.2018, the petitioner also obtained approval from the Local Body viz., Vellalur Selection Grade Panchayat by proceedings dated 09.11.2018. When that being so, the first respondent cannot refuse to register the document in question by stating the said reason and any time the petitioner is ready and willing to produce whatever the documents sought for in the said communication and without verifying the same since the order has been passed through the impugned communication, it has to interfered with, he contended.

5. Heard Mr.Yogesh Kannadasan, learned Special Government Pleader appearing for the first respondent, who would submit that, if at all the petitioner is in possession of those documents, which are sought for by the first respondent in the impugned communication, the first respondent will have no hesitation to consider those documents and in this regard, he can even revisit the order passed by him dated 06.02.2023, he contended.



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WEB COPY With this direction, this writ petition is disposed of. No costs.

03.03.2023

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
mp

To

1. The Sub-Registrar,
Singanallur,
Coimbatore District.
2. The Special Officer,
Vellalur Selection Grade Panchayath,
Vellalur, Coimbatore – 641 333.



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R. SURESH KUMAR, J.

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