



W.P.No.26888 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2023

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.26888 of 2017
and
W.M.P.Nos.28658 to 28660 of 2017

S.Gopalakrishnan

... Petitioner

Vs.

1.The Transport Commissioner,
Transport Department,
100 Feet Road,
Pondicherry.

2.The Deputy Collector (Revenue) [South],
O/o. The District Collector,
Saram,
Pondicherry.

3.The District Registrar,
O/o.The District Registrar,
Saram, Pondicherry.

4.The Sub-Registrar,
Bahour,
Pondicherry.

.....Respondents

Prayer:-Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the I.D. Note dated 10.07.2017 given by the first



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respondent to the Registrar of Registration Department vide No.122/TD/Tr.Sectt./Rly/New Line/2013-14(iii) and another letter dated 18.07.2017 vide No.2380/RD/SR/2017/1056 issued by the third respondent to the fourth respondent and quash the same insofar it relates to freezing of registration of petitioner's land in R.S.No.12/2 situated at Outchimedu Village and further direct the fourth respondent to accept the Deed of Memorandum of Deposit of Title Deeds dated 25.09.2017 executed by me in favour of Karur Vysya Bank, Pillaaiyarkuppam Branch and register the same in accordance with law.

For Petitioner : Mr.R.Vinoth

For Respondents : Mr.Ramaswamy Meyyappan,
Government Advocate (Pondicherry)

ORDER

Challenging the note of the first respondent and the letter of the third respondent dated 10.07.2017 and 18.07.2017 respectively, the present Writ Petition has been filed by the petitioner.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Pondicherry) appearing on behalf of the respondents.



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3. The learned Government Advocate appearing for the respondents submitted that originally the land was obtained for expansion of road for Puducherry-Cuddalore Railway alignment. Since the said project was under construction and the consideration for expansion of road would be affected if any registration takes places in that locality, a letter has been addressed by the respondents to the Registrar of Registration Department, not to register any land, within the said locality. It is now submitted by the learned Government Advocate that the Scheme was dropped by the Railway Department and in regard to the same, letters have been addressed to the respondents 1 and 2 to proceed with registration in that locality and informed this Court that now the respondents 3 and 4 have no hindrance to register any document in the said locality.

4. Considering the submissions made by the learned Government Advocate Pondicherry, since at the time of filing of this Writ Petition, due to the letter sent by the respondents 1 and 2 to the Registrar of Registration Department, as there was a proposal for acquiring lands for expansion of the railways road at Bahour, the respondents 3 and 4 were restrained from registering any document in the said locality



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and now that as the scheme was dropped by the Railways, there is no hindrance for them to register the document of the petitioner. It is made clear that the petitioner is at liberty to approach the respondents 3 and 4 to work out his remedy in the manner known to law.

5. In view of the above, the Writ Petition is dismissed as infructuous. Consequently, the connected Miscellaneous Petitions are closed. There shall be no order as to costs.

17.11.2023

Index: Yes/No
Order: Speaking/Non-Speaking
NCC : Yes/No

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P.VELMURUGAN, J.

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