



W.P.(MD)No.2011 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.12.2023

C O R A M

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.2011 of 2021

M.Manicam Narayanan

... Petitioner

-VS-

1.The District Collector,
Tirunelveli District.

2.The District Forest Officer,
Tirunelveli.

3.The Sub- Registrar,
Sengottai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records on the file of the third respondent, relating to the order dated 30.12.2020, in registration refusal No.1/2020, quash the same and consequently, direct the first respondent to issue the NOC for the sale / purchase of the lands comprised in Old Survey No.570/1 and New Survey No.1070/1A1 of Sangottai Melur Village, Sengottai Taluk, Tirunelveli District, measuring 24.22 acres and to direct the second respondent to registrar the sale deed dated 20.11.2015, in favour of the petitioner and kept in Doc.No.P.No.25/2015.



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For Petitioner : Mr.R.Gowrishankar
For Respondents : Mr.A.K.Manikkam
Special Government Pleader

ORDER

This Writ Petition has been filed challenging the impugned refusal memorandum issued by the third respondent, dated 30.12.2020, on the ground that the petitioner did not produce the No Objection Certificate from the first respondent for dealing with the subject property.

2. Heard the learned counsel appearing on behalf of the petitioner and the learned Special Government Pleader appearing on behalf of the respondents.

3. The only reason that was assigned by the third respondent for not registering the document was that the petitioner did not produce the No Objection Certificate from the District Collector. In the instant case, the subject property has been brought under the Tamil Nadu Preservation of Private Forest Act, 1949. In view of the same, No Objection Certificate must be obtained from the District Collector. The petitioner has already made an



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application/representation before the District Collector on 06.03.2019 and the same is pending.

4. Taking into consideration the facts and circumstances of the case, it will suffice if a direction is given to the first respondent to deal with representation made by the petitioner on 06.03.2019 on its own merits and in accordance with law and a decision shall be taken with regard to issuance of the No Objection Certificate, within a period of four weeks from the date of receipt of a copy of this order. The petitioner shall make a fresh representation to the first respondent along with all the relevant documents and also a copy of this order. As and when the No Objection Certificate is issued in favour of the petitioner, it will be left open to him to submit the document before the third respondent along with the No Objection Certificate and seek for the registration of the document.

5. This Writ Petition is disposed of with the above directions. No costs.

NCC : Yes/No
Index : Yes/No
smn2

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To

WEB COPY

- 1.The District Collector,
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WEB COPY



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N.ANAND VENKATESH, J.

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