



W.P.(MD)No.17709 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.12.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.17709 of 2021

V.Perumal

... Petitioner

Vs.

1.The Inspector General of Registration,
No.100, Santhome High Road,
Chennai.

2.The District Registrar (Admin),
O/o. District Registrar,
Tirunelveli District.

3.The Sub Registrar,
O/o Sub Registrar Office,
Radhapuram,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records relating with the impugned order of the 3rd respondent in RFL/Radhapuram/6/2021 dated 05.08.2021 and quash the same as it is arbitrary and illegal and in consequence to direct him to register the sale deed dated 02.08.2021 executed by its owner in favour of the name of the



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petitioner relating with the land in 1 Acre 18 Cents out of 2 Acre 37 Cents in S.No.963/2 in Karunkulam Village, Tisayanvilai Taluk.

For Petitioner : Mr.R.Suriya Narayanan

For Respondents : Mr.K.S.Selvaganesan,
Additional Government Pleader

ORDER

This Writ Petition has been filed challenging the refusal check slip dated 05.08.2021 issued by the third respondent, refusing to register the sale deed dated 02.08.2021 executed in favour of the petitioner with respect to the subject property in Survey No.963/2 measuring an extent of 1.18 Acres out of 2.37 Acres.

2. Heard the learned counsel on either side.

3. The only reason that has been assigned in the refusal check slip that was issued by the third respondent was that the Inspector General of Registration had issued a Circular based on the order passed by the Lodha committee that the document pertaining to the subject property should not be entertained.



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4. In the considered view of this Court, in cases of this nature, this Court has directed the concerned petitioners to get the No Objection Certificate from the Committee and thereafter, register the document. If ultimately, the property that was sought to be purchased by the petitioner does not fall within the ambit of the Lodha Committee, the petitioner can make a representation to the Committee and seek for a No Objection Certificate. Based on the No Objection Certificate received from the Committee, the document can be re-presented for registration before the third respondent and the document shall be entertained, registered and thereafter released.

5. This Writ Petition is disposed of in the above terms. No costs.

21.12.2023

NCC:yes/no

Index:yes/no

Internet:yes/no

tsg

To

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No.100, Santhome High Road,
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N.ANAND VENKATESH, J.

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