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W.P.(MD)NO.15221 OF 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.07.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.15221 of 2015 AND
M.P.(MD)No.1 of 2015

C.M.Aruldurai

... Petitioner

Vs.

1. The District Registrar,
Department of Registration,
Tenkasi,
Tirunelveli District.

2. The Sub Registrar,
Puliyangudi,
Sivagiri Taluk
Tirunelveli District.

3. The Inspector General of Registration,
Department of Registration,
No.110, Santhom High Road,
Chennai.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the order impugned dated 31.07.2015 made in Letter No.204/2015 on the file of the 2nd respondent and quash the same as illegal and devoid of merits and consequently direct the 1st respondent to register the document in relation to the property bearing Natham



Resurvey No.346/2A2, 346/2A3 and 346/2A4 measuring to an extent of 00036, 00034 and 00037 sq.mt and Old Survey No.346/2 situated at Vadamalapuram, Ramasamiyarpuram Village, Tirunelveli District on the petitioner's re-presentation in their office forthwith in his favour.

For Petitioner : Mr.S.Palani Velayutham

For Respondents : Mr.N.Satheesh Kumar,
Additional Government Pleader.

* * *

ORDER

Heard the learned counsel on either side.

2. The petitioner had purchased three items of the property covered under the sale deed dated 21.07.2015 executed by 1) Madan, 2) Velandi @ Velu, 3) Chithravelu, 4) Paulraj and 5) Gomathi. The sale deed was presented for registration on 21.07.2015 before the second respondent. The second respondent declined to register the sale deed and issued the impugned check slip. The primary reason for returning the sale deed was that in respect of the third item of the schedule comprised in survey No.346/2A1 belonged to a



number of persons as per the revenue record and that therefore the petitioner could not have purchased the same from the vendors. As per the revenue record, it belonged to as many as seven persons jointly. Since joint patta was there, the registering authority wanted the petitioner to produce individual patta. Realizing the soundness of the objections raised by the registering authority, the petitioner through counsel now states that he will re-present the sale deed by deleting item No.3(survey No.346/2A1). If the petitioner re-submits the sale deed, after deleting the objectionable item, the second respondent shall receive the same, register it and release it subject to fulfillment of the other usual formalities. This writ petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

21.07.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
PMU



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G.R.SWAMINATHAN,J.

PMU

To:

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Tirunelveli District.
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