



W.P.(MD)No.7146 of 2016

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :20.03.2023

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THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.7146 of 2016

N.Mohan Raj

... Petitioner

Vs.

1.The District Collector,
Sivagangai,
Sivagangai District.

2.The Revenue Divisional Officer,
O/o.The Revenue Divisional Officer,
Devakottai,
Sivagangai.

3.The Tahsildar,
O/o.The Tahsildar,
Karaikudi,
Sivagangai District.

4.The District Registrar,
Registration Department,
Sivagangai,
Sivagangai District.

5.The Sub Registrar I & II,
Karaikudi Sub Registrar Office,
Karaikudi, Sivagangai District.

... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the fifth respondent to consider the claim of the petitioner to register the property of the petitioner is a Survey No.149/1C, K.Azhagapuri Village, Karaikudi Taluk, Sivagangai District in an extent of 2175 sq.ft., of land in favour of Malathi W/o.Muthukumar, No.125, K.K.Nagar, Karaikudi, Sivagangai District within the time frame.

For Petitioner :Mr.S.Rajasekar
For Respondents :Mr.M.Prakash
Additional Government Pleader

ORDER

The petitioner seeks a direction to the fifth respondent to consider his claim for registration of a conveyance in respect of the property at Survey No.149/1C, K.Azhagapuri Village, Karaikudi Taluk, Sivagangai District of an extent of 2175 sq.ft.

2.The petitioner asserts that the above mentioned property was purchased by him under registered sale deed dated 04.04.2012 bearing document No.1054 of 2012. After constructing a house thereon, it is stated



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that the petitioner approached the fourth and fifth respondents to register a conveyance of the said property in favour of Malathi, wife of Muthukumar. According to the petitioner, the said respondents neither registered the document nor issued a refusal memo in respect thereof.

3.Learned Additional Government Pleader submits that he has not received any instructions in this regard as on date.

4.From the documents on record, it appears *prima facie* that the fifth respondent neither registered the document nor issued a refusal memo. In these facts and circumstances, it is just and necessary that the fifth respondent considers the document submitted by the petitioner and either registers the same or indicates the reasons for refusal.

5. Accordingly, W.P.(MD).No.7146 of 2016 is disposed of by directing the fifth respondent to consider the petitioner's request for registration of the document and dispose of such request either by



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registering the document or by providing reasons for refusal within a period of one month from the date of receipt of a copy of this order. There shall be no order as to costs.

20.03.2023

NCC :Yes/No

Internet :Yes/No

Index :Yes/No

sbn

To

- 1.The District Collector,
Sivagangai,
Sivagangai District.
- 2.The Revenue Divisional Officer,
Devakottai, Sivagangai.
- 3.The Tahsildar,
Karaikudi, Sivagangai District.
- 4.The District Registrar,
Registration Department,
Sivagangai, Sivagangai District.
- 5.The Sub Registrar I & II,
Karaikudi Sub Registrar Office,
Karaikudi, Sivagangai District.



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SENTHILKUMAR RAMAMOORTHY, J.

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