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W.P.(MD)NO.25207 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.11.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.25207 of 2023

S.Rajagopalan

... Petitioner

Vs.

1. The District Registrar,
Theni.

2. The Sub Registrar,
Bodinaickanoor,
Theni District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, calling for the records relating to the impugned refusal check slip issued by the second respondent on 27.09.2023 relating to the sale deed dated 27.09.2023 comprising lands covered in document No.697 and 698 of 2017 on his file and quash the same and consequently direct the respondents to register the said document and release the same.

For Petitioner : Mr.V.R.Shanmuganathan

For Respondents: Mr.M.Sidharthan,
Additional Government Pleader.

* * *



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ORDER

Heard both sides.

2.The petitioner wants to purchase the petition-mentioned lands from M/s.Jenisan Property Care Private Ltd. In the impugned refusal check slip, it has been mentioned that the said lands sought to be purchased by the petitioner are not PACL properties. Therefore, there cannot be any impediment for registering the same. The second respondent had developed cold feet because the parent documents contained survey numbers that are PACL related. In such cases, the authority has to apply the principle of segregation; grain has to be removed from the chaff. When even according to the second respondent, the lands are not PACL properties, there cannot be any legal impediment.

3. The order impugned in this writ petition is set aside. The petitioner is permitted to re-present the document in question. The second respondent will receive the document in question, register it and release the same subject to fulfillment of the other usual formalities. This writ petition



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stands allowed. No costs.

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NCS : Yes / No

Index : Yes / No

Internet : Yes/ No

PMU

To:

1. The District Registrar,
Theni.
2. The Sub Registrar,
Bodinaickanoor,
Theni District.



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G.R.SWAMINATHAN,J.

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