



W.P.(MD)No.17547 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :20.01.2023

CORAM

THE HONOURABLE MR.JUSTICE K. KUMARESH BABU

W.P.(MD)No.17547 of 2017

1.S.Anthony Raj

2.S.Jeseeph Raj

... Petitioners

Vs.

1.The Revenue Divisional Officer,
Kovilpatti sub-Division,
Thoothukudi District.

2.The Tahsildar,
Ottapudaram Taluk,
Thoothukudi District.

3.The District Registrar,
Registration Department,
Thoothukudi,
Thoothukudi District.

4.The Sub-Registrar,
Registration Department,
Ottapidaram,
Thoothukudi District.

... Respondents



W.P.(MD)No.17547 of 2017

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus to call for the records on the file of the 4th respondent pertaining to its proceeding bearing No.Aa.Thimu.No.158/2017 dated 31.08.2017 and to quash the same and consequently direct the 4th respondent to register the sale deed dated 29.08.2017 in respect of the land in Survey No.513/2 admeasuring 1 acre 50 cents situated at Panchalam Kurchi Village, Ottapidaram Taluk, Thoothujudi District within a time frame.

For Petitioner :Mr.L.Jeen Felix
For Respondents :Mr.M.Ramesh
Government Advocate

ORDER

The writ petition has been filed to call for the records on the file of the 4th respondent pertaining to its proceeding bearing No.Aa.Thimu.No. 158/2017 dated 31.08.2017 and consequently direct the 4th respondent to register the sale deed dated 29.08.2017, in respect of the land in Survey No. 513/2 admeasuring 1 acre 50 cents situated at Panchalam Kurchi Village, Ottapidaram Taluk, Thoothujudi District.



W.P.(MD)No.17547 of 2017

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2. The learned counsel for the petitioner would submit that the petitioner had presented two sale deeds before the fourth respondent and both the sale deeds were returned with the check slips, calling upon the petitioner to produce no objection certificate from the Revenue Divisional Officer, Kovilpatti. He had challenged both the orders in two individual writ petitions, one in W.P.(MD).No.17529 of 2017 and the other is the instant writ petition. This Court, by order dated 23.04.2018, had set aside the order of the fourth respondent made in Na.Ka.No.159/2014, dated 31.08.2017.

3. I have perused the order passed in Na.Ka.No.159/2017, dated 31.08.2017, which is a pari materia order to the order impugned in this writ petition. As this Court, in order dated 23.04.2018 in W.P.(MD).No.17529 of 2017, has already set aside the order impugned in that writ petition, I see no reason to take a different view. Hence, the order impugned in this writ petition passed by the fourth respondent dated 31.08.2017, made in No.Aa.Thimu.No.158/2017 is set aside. The fourth respondent is directed to register the sale deed dated 29.08.2017 in connection with the land in S.No. 513/2 admeasuring 1 acre 50 cents situated at Panchalam Kurichi Village,



W.P.(MD)No.17547 of 2017

Ottapidaram Taluk, Thoothukudi District, if it is otherwise in order. Such an exercise shall be completed within a period of two weeks from the date of receipt of a copy of this order.

4. With the above direction, the writ petition is allowed. No costs.

20.01.2023

Index : Yes / No
Speaking Order/Non Speaking Order
sbm

To

- 1.The Revenue Divisional Officer,
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Thoothukudi District.
- 3.The District Registrar,
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- 4.The Sub-Registrar,
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Page 4 of 5



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W.P.(MD)No.17547 of 2017

K.KUMARESH BABU, J.

sbn

W.P.(MD)No.17547 of 2017

20.01.2023