



WEB COPY



W.P. No.12327 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.12327 of 2024

R.Subathra Devi

... Petitioner

Vs

1.The Sub Registrar
Mettupalayam

2.The Tashildar
Mettupalayam
Coimbatore

... Respondents

(R2 impleaded vide order Dt.19.06.2024 made
in WMP.16076/2024 in WP.12327/202)

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus to call for the records on the file of respondent in proceedings Refusal Number RFL/Mettupalayam/78/2023 dated 19.08.2023, quash the same as illegal, incompetent and in any event liable to be set aside and further direction the respondent to register the sale certificate issued in favour of the petitioner by the Debts Recovery Tribunal, Coimbatore dated 19.08.2023.

For Petitioner : Mrs.R.Poornima



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For Respondent : Mr.B.Vijay
Addl. Govt. Pleader for R1
Mr.S.J.Mohamed Sathik,
Government Advocate for R2

ORDER

This writ petition has been filed challenging the refusal slip in Refusal Number RFL/Mettupalayam/78/2023 dated 19.08.2023 refusing to register the sale certificate issued in favour of the petitioner by the Debts Recovery Tribunal, Coimbatore.

2. It is the case of the writ petitioner that the petitioner was a successful bidder in a sale held by the Debts Recovery Tribunal, Coimbatore and a sale certificate has also been issued in favour of the petitioner in O.A. No.55 of 2014 on the file of Debts Recovery Tribunal, Coimbatore. When the sale certificate was presented for registration, a refusal slip has been issued on the ground that the survey number No.665 mentioned in the sale certificate relates to Government poramboke land. According to the writ petitioner, the old Survey No.665 is now given as new Survey No.610 and both are one and the same with same boundaries. The new Survey No.665 is government poramboke land and



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its correspondent old Survey number is 1310. According to the learned counsel appearing for the petitioner, the Village Administrative Officer also given a certificate, however, the correlation has to be done only by the Tahsildar.

3. Mr.B.Vijay, the learned Additional Government Pleader appearing for the Sub Registrar, would submit that in the 'A' Register S. No.665 is shown as the Government land. The learned Government Advocate appearing for the Tahsildar would submit that in the 'A' Register S. No.665 is shown as Odai, the petitioner has to get correlation certificate only from the Tahsildar.

4. According to the petitioner, she has already filed an application on 19.01.2024 for correlation certificate with Tahsildar, however, no order has been passed.

5. Since the entire issue is relating to the correlation certificate, the 2nd respondent is directed to pass an order on the petition given by the petitioner on 19.01.2024 and pass an order considering the Government records and on such correlation certificate, the first respondent can take a decision.



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6. The writ petition is disposed of with the above direction. However,
there is no order as to costs.

25.07.2024

Index : Yes / No
Neutral Citation : Yes / No
Asr

To

1.The Sub Registrar
Mettupalayam

2.The Tashildar
Mettupalayam
Coimbatore

3.The Government Pleader
High Court, Madras

N.SATHISH KUMAR, J.

Asr



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