



WEB COPY



W.P.No.23354 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.08.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.23354 of 2024

Sundararaju

... Petitioner

VS.

1.The Tahsildar,
Office of Tahsildar,
Senthamangalam Taluk,
Namakkal District.

2.Deepa

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st Respondent to issue No Objection Certificate in connection with the application made by one Mrs.Kannagi from whom the Petitioner has intended to purchase the property within a reasonable time as fixed by this Court.

For Petitioner : Mr.Ali Hassan Khan

For R1 : Mr.A.Selvendran
Special Government Pleader

ORDER

The petitioner herein seeks a direction to the 1st respondent to issue No Objection Certificate in connection with application made by one Kannagi to enable her to sell the property to the petitioner.



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2. According to the petitioner, he entered into sale transaction with 2nd

respondent's mother for purchase of 3.5 acres of land in S.No.256/1 situated in Varadharajapuram Village, Erumampatti Taluk, Namakkal District. It is the case of the petitioner that patta for the said property stands in the name of one Kannagi. When Sale Deed executed by Kannagi in favour of petitioner was presented for registration, the jurisdictional Sub-Registrar returned the document by insisting production of No Objection Certificate from the 1st respondent. Thereafter, through petitioner's vendor Kannagi an application was made seeking No Objection Certificate from the 1st respondent and the same has not been considered. Hence, the petitioner is before this Court.

3. When the writ petition is taken up for hearing, Mr.A.Selvendran, learned Special Government Pleader, who is taking notice for the 1st respondent, on instructions, would submit that patta originally issued in the name of Kannagi in respect of the land in S.No.256/1 was cancelled by proceedings of the Revenue Divisional Officer, Namakkal in Na.Ka.No.4755/2017/A6, dated 25.11.2022 and hence, it may not be possible for the 1st respondent to issue No Objection Certificate. The said



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statement made by the learned Special Government Pleader appearing for the 1st respondent is recorded.

4. Since the patta issued in favour of petitioner's vendor-Kannagi was already cancelled, this Court cannot issue any direction to the 1st respondent to issue No Objection Certificate. However, it is open to the petitioner's vendor to workout her remedy in respect of the order passed by the Revenue Divisional Officer, Namakkal in her proceedings in Na.Ka.No.4755/2017/A6, dated 25.11.2022 cancelling patta in her name.

5. With this observation, the Writ Petition stands dismissed. No costs.

30.08.2024

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
dm

To

The Tahsildar,
Office of Tahsildar,
Senthamangalam Taluk,
Namakkal District.

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S.SOUNTHAR, J.

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