



WEB COPY



WP.No.28822 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.28822 of 2023 &

WMP.No.28622 of 2023

P.Jaganathan

.. Petitioner

Versus

1. The Tamil Nadu Housing Board,
Salem Housing unit, Salem – 636 008
Rep. by its Executive Engineer & Administrative Officer

2. The District Registrar,
District Registrar Office,
Collector Office Complex, Salem.

3. The Join-I Sub Registrar,
Salem [West], District Registrar Office,
Collector Office Complex, Salem.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to (i) the order of the first respondent in Letter No. Ni. A.1/ 4280/ 2003 dated 23.11.2020 (ii) order of the second respondent in letter No. Mu. Ku. No.3938/ A/2020 dated 24.07.2020 and (iii) the consequential Refusal Check Slip in Refusal Number RFL/ Joint I Sub Registrar Salem (West) / 20 / 2023 dated 18.05.2023 assessed by the third respondent herein to quash the same and direct the third respondent herein to register the document pertaining



WP.No.28822 of 2023

to the plot no.2 measuring an extent of 2640 sq.ft comprised in Survey No. 81/2H Patta No. 253 situated at Ayyamperumampatti Village Salem Taluk within the sub registration district of Joint I Sub Registrar Salem (West) and registration district of Salem.

For Petitioner : Mr.V.G.Guhan Murugan

For Respondents : Mr.C.Kalaichelvan
Standing Counsel for TNHB – R1

Mr.Yogesh Kannadasan
Special Government Pleader – R2 & R3

ORDER

Challenging the order of the first respondent in dated 23.11.2020 and the order of the second respondent dated 24.07.2020 and the consequential Refusal Check Slip in Refusal Number RFL/ Joint I Sub Registrar dated 18.05.2023 assessed by the third respondent, the present Writ Petition has been filed.

2. Heard the learned counsel appearing for the petitioner, the learned Standard Counsel appearing for the first respondent and the Special Government Pleader appearing for the second and third respondents and perused the materials available on record.



3. It is the contention of the writ petitioner that he had purchased the property to an extent of 2640 sq.ft. from his vendor. When the said document was presented for registration, the same was refused to be registered on the ground that letter has been sent by the first respondent stating that the land is vested with them. Challenging the refusal slip, the present Writ Petition has been filed.

4. The first respondent has filed a counter to the effect that an extent of 9.98 acres were acquired in a land acquisition proceedings. The award was passed on 03.12.1988 itself and compensation amount of Rs.3,94,492.65 also deposited in Sub Court, Salem. Since some of the parties are trying to encroach the land, the respondent has given an objection letter to the Sub Registrar. The third respondent took a stand that in view of the letter addressed to the first respondent, the Orders have been passed.

5. With regard to the passing of the award and deposit of the compensation, there is no denial by the writ petitioner. It is his only contention that some other similarly situated persons are dealing with the property and there were registered documents. Therefore, his document also has to be registered. Since the property also is the subject matter of the land acquisition



WP.No.28822 of 2023

proceedings, which has also reached finality and award for compensation has also been passed and deposited, now the petitioner cannot insist for registration of the sale deed presented by him. Hence, I do not find any merits in this Writ Petition.

6. Accordingly, this Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

20.06.2024

vrc

Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No

To

1. The Tamil Nadu Housing Board,
Salem Housing unit, Salem – 636 008
Rep. by its Executive Engineer & Administrative Officer
2. The District Registrar,
District Registrar Office,
Collector Office Complex, Salem.
3. The Join-I Sub Registrar,
Salem [West], District Registrar Office,
Collector Office Complex, Salem.



WEB COPY



WP.No.28822 of 2023

N. SATHISH KUMAR, J.

VRC

W.P.No.28822 of 2023

20.06.2024