



W.P(MD)No.7376 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.03.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.7376 of 2024

P.Balsundarraaj

... Petitioner

Vs.

1.The Joint Director,
O/o. The Town and Country Planning,
106 J-37, Millerpuram 2nd Street,
Thoothukudi – 08.

2.The Sub Registrar,
Kovilpatti,
Thoothukudi District.

3.The Block Development Officer,
Kovilpatti Panchayat Union,
Thoothukudi.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd respondent herein to implement the 1st respondents proceedings in Na.Ka.No.2293/2023 ThoomaaA-1 dated 13.12.2023, thereby, register a sale deed in Survey Nos.534/2B, 534/1B, 535/1A.



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For Petitioner : Ms.V.Sebastinal Preethi

For Respondents : Mr.C.Satheesh,
Government Advocate for R1 & R2.
Mr.D.S.Neduncheziyan
Govt. Advocate for R3.

ORDER

The petitioner presented the petition mentioned sale deed for registration. The second respondent did not entertain the document. It appears that the second respondent is having some doubts. The petitioner thereupon moved the first respondent. The first respondent sent communication dated 13.12.2023 to the second respondent stating that the document can be registered by treating the plan submitted by the petitioner as “sold out frame work diagram”. It appears that the petitioner is placing reliance on the communication of the third respondent also. The second respondent wants to verify its genuineness.

2.These are not matters that can be indefinitely delayed. We are now in March 2024. The communication of the third respondent is dated 24.11.2023. I, therefore, permit the petitioner to re-present the document in question. The second respondent will have to take a call on merits and in accordance with law. The second respondent cannot orally decline to receive the document.



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The second respondent will have to pass an order only in writing. If in the meanwhile, the genuineness of the third respondent's communication is confirmed, the document to be presented by the petitioner can very well be registered subject to fulfilment of other usual formalities.

3.This writ petition is disposed of accordingly. No costs.

25.03.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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Issue order copy on 27.03.2024.

To:-

- 1.The Joint Director,
O/o. The Town and Country Planning,
106 J-37, Millerpuram 2nd Street,
Thoothukudi – 08.
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Thoothukudi District.
- 3.The Block Development Officer,
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G.R.SWAMINATHAN, J.

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