



W.P(MD)No.11816 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.09.2024

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P(MD)No.11816 of 2023

and

W.M.P.(MD)No.10211 of 2023

K.Meena

... Petitioner

Vs.

1.The Inspector General of Registration,
Office of the Inspector General of Registration,
Santhom Highways Road, Chennai.

2.The District Registrar (Registration),
Dindigul District, Dindigul.

3.The Sub Registrar,
Nagalnayekkanpatti Sub Registrar Office,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned communication issued by the 3rd respondent dated 21.06.2022 and to quash the same as illegal and consequently, pending fixation of guideline value with sufficient undertaking from the petitioner to pay the necessary stamp duties as arrived by the competent authorities to direct the 3rd respondent to release the petitioner's sale deed, which is pending before the 3rd respondent in document P.No.16/2022 in respect of the land in Survey



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No.701/106A1 having extent of 62 cents situated at Balakrishnapuram Revenue Village, Dindigul East Taluk, Dindigul District within stipulated time fixed by this Court.

For Petitioner : Mr.R.Senthil Kumar

For Respondents : Mr.M.Siddharthan,

Additional Government Pleader

ORDER

Challenge has been made to the refusal check slip issued by the 3rd respondent dated 21.06.2022.

2.It is the grievance of the petitioner that she along with others have jointly purchased a land in Survey No.701/106A1 to an extent of 62 cents situated at Balakrishnapuram Revenue Village, Dindigul East Taluk, Dindigul District from one Padmanabhan. When it was presented for registration, the same was refused by the 3rd respondent, vide refusal check slip dated 21.06.2022 on the ground that no guideline value has been fixed for the property in question. Challenging the same, the petitioner has filed this Writ Petition.

3.The learned counsel appearing for the petitioner would submit that on 01.07.2024, the authorities fixed guideline value at Rs.100/- per sq.ft., in respect of the property in question.



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4.The learned Additional Government Pleader appearing for the respondents has not disputed the said submission. He, relying upon the communication of the 3rd respondent dated 24.09.2024, would submit that the land in question has been sub-divided into various plots and several plots have been sold.

5.A perusal of the communication of the 3rd respondent dated 24.09.2024, indicates that the land in question is the private land, not Government land. Therefore, as the petitioner derived the title of the property, it cannot be said that the document cannot be registered. In such view of the matter, the impugned order of the 3rd respondent is quashed and this Writ Petition is allowed, directing the 3rd respondent to register the document presented by the petitioner within a period of one week from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

27.09.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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N.SATHISH KUMAR, J

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To

- 1.The Inspector General of Registration,
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