



Rev. Appl (MD). No. 104 of 2023

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 08.01.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

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&

W.M.P (MD). No. 12101 of 2023

The Sub Registrar,
Arumanai Sub Registrar Office,
Arumanai, Arumanai Village,
Vilavancode TK.,
Kanyakumari Dist.

...Petitioner

Vs.

S.Maheen

...Respondents

Prayer: Review Petition is filed under Order 47 Rule 1 and 2 read with Section 114 of CPC to review the order passed by this Court in W.P. (MD). No. 2290 of 2020 dated 15.03.2023.



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For Petitioner : Mr. Veera Kathiravan,
Additional Advocate General III

Assisted by
Mr. A.K. Manikkam
Special Government Pleader.

For Respondent : Mr. S.Titus.

JUDGMENT

The review application is filed on the sole ground that the review petitioner / respondent herein has suppressed the fact that the subject property are unapproved and it cannot be registered. The review petitioner has relied on the Government Orders in G.O.Ms. No.78 dated 04.05.2017 and G.O.Ms. No. 79 dated 04.05.2017 issued by the Housing and Urban Development (UD4 (3)).

2. In the Writ Proceedings which is the subject matter of this review, the Review Petitioner represented by the learned Additional Government Advocate had informed the Court that they had not made any demand that the petitioner has to submit a single document for



registration. The Additional Government Advocate on instructions had made a representation that the Sub Registrar has no objection to register several sale deeds. On the basis of this representation this Court had passed the order now subject matter of review. The respondent who had made such a representation has now filed the review application stating that the documents cannot be registered in the light of the above referred Government Order.

3. The review petitioner has been registering sale deeds on the strength of the proceedings passed by the District Collector / Chairman of the District Forest Committee dated 08.01.2019 permitting the respondent to sell his property. In fact, this order has been enclosed with each of the sale deeds that had earlier been submitted for registration by the petitioner. The review petitioner is very much aware about the nature of the property and the permission that had been granted. The review petitioner has not made out a case that there is an error apparent on the face of the record or that they had come across a new fact which was not to their knowledge to justify the request for



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reviewing the earlier order.

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4. As already submitted the order which is now subject to review has been passed only on the submission made on behalf of the review petitioner by a responsible counsel. Therefore, the review application has to necessarily be dismissed. Accordingly, the review application is dismissed. Consequently, the connected petition is closed. No costs.

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Index : Yes/No
Internet : Yes/No
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P.T. ASHA, J,

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