



W.P(MD)No.15239 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.07.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.15239 of 2024

and

W.M.P.(MD)No.13362 of 2024

M.Sudha

... Petitioner

Vs.

1.State of Tamilnadu,
Rep. by its Principal Secretary and
Commissioner of Land Administration,
Department of Land Reforms,
Chepauk, Chennai.

2.The District Revenue Officer,
Collectorate,
Theni District,
Theni.

3.The District Registrar,
Periyakulam,
Theni District.

4.The Sub Registrar,
Theni District,
Theni.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order made by the 2nd respondent in his



W.P(MD)No.15239 of 2024

proceedings in Na.Ka.No.12605/2009/Aa1 dated 20.10.2014 and quash the same as illegal and consequently direct the 4th respondent for Register any document in respect of the petitioner land in Survey Nos. 749/2, 749/2A having extent of 6240 sq. feet (Doc.No.5309/2010) Theni S.R.O.Situated at Aranmanaipudur South West, Koduvilarpatti village, Theni District.

For Petitioner : Mr.M.Beema Rao

For Respondent : Mrs.D.Farjana Ghoushia
Special Government Pleader

ORDER

Heard both sides.

2. The petitioner challenges the proceedings dated 20.10.2014 issued by the District Revenue Officer, Theni and addressed to the third respondent herein. The learned counsel points out that this communication was already set aside by this Court vide order dated 30.09.2022 in W.P.(MD)No.20334 of 2015 (C.Muniandi Vs.The Inspector General of Registration).

3. The learned counsel for the petitioner states that even though the impugned communication has already been set aside, the registering authority is insisting that the petitioner also must obtain an order from this Court.



W.P(MD)No.15239 of 2024

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4. So long as the said order dated 30.09.2022 in W.P.(MD)No.20334 of 2015 is holding good and has not been stayed or set aside by the Hon'ble Division Bench of this Court, the registering authority cannot take note of the same for any purpose. It is open to the petitioner herein to present any document for registration in respect of the petition mentioned property. As and when the same is received, it shall be dealt with as per law without taking note of the proceedings impugned in this writ petition.

5. The Writ Petition is allowed on these terms. No costs. Consequently, connected miscellaneous petition is closed.

10.07.2024

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

To

1.Principal Secretary and
Commissioner of Land Administration,
Department of Land Reforms,
Chepauk, Chennai.



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W.P(MD)No.15239 of 2024

G.R.SWAMINATHAN, J.

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2.The District Revenue Officer,
Collectorate,
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Theni.

3.The District Registrar,
Periyakulam,
Theni District.

4.The Sub Registrar,
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Theni.

W.P(MD)No.15239 of 2024

10.07.2024