



W.P.(MD) No.20888 of 2016

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD) No.20888 of 2016

M.Anthony Raj

.. Petitioner

Vs.

1.The District Registrar,
Registrar Office,
Tenkasi, Tirunelveli District.

2.The Sub Registrar,
Karivalamvanthanallur,
Tenkasi, Tirunelveli District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, to call for the records of the impugned order passed by the 1st respondent in his impugned proceedings in Athi.Mu.No. 2808/Aa1/2015 dated 26.06.2015 and the consequential impugned proceedings of the 2nd respondent in Na.Ka.No. P13/2015 dated 04.09.2015 returning the document and quash the same as illegal and further direct the respondents herein to enter the sale certificate dated 31.08.2010 issued in favour of the petitioner in proceedings in E.P.No.41 of 2008 in O.S.No.133 of 2006 on the file of



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the District Munsif cum Judicial Magistrate Court, Sivagiri in compliance with and in accordance with Section 89(ii) of the Registration Act within the stipulated time as may be prescribed by this Court.

For Petitioner : Mr.Vashik Ali

For Respondents : Mr.D.Sadiq Raja
Additional Government Pleader

ORDER

This writ petition has been filed seeking to quash the order passed by the first respondent in his impugned proceedings in Athi.Mu.No. 2808/Aa1/2015 dated 26.06.2015 and the consequential impugned proceedings of the second respondent in Na.Ka.No. P13/2015 dated 04.09.2015 returning the document as illegal and further direct the respondents herein to enter the sale certificate dated 31.08.2010 issued in favour of the petitioner in proceedings in E.P.No.41 of 2008 in O.S.No. 133 of 2006 on the file of the District Munsif cum Judicial Magistrate Court, Sivagiri in compliance with and in accordance with Section 89(ii) of the Registration Act.



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2. In view of the judgment of the Hon'ble Apex Court in the case of *State of Punja & Anr. Vs. M/s.Ferrous Alloy Forgings P Ltd., & Ors.*, reported in **2024 SCC OnLine SC 3372**, the impugned orders are set aside and there shall be a direction to the respondents to register the sale certificate dated 31.08.2010 presented by the petitioner made in E.P.No.41 of 2008 in O.S.No.133 of 2006.

3. In the result, this Writ Petition is allowed. There shall be no order as to costs.

06.12.2024

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

abr

To

1.The District Registrar,
Registrar Office,
Tenkasi, Tirunelveli District.

2.The Sub Registrar,
Karivalamvanthanallur,
Tenkasi, Tirunelveli District.



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K.KUMARESH BABU, J.

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