



W.P.(MD) No.24594 of 2016

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD) No.24594 of 2016

and

W.M.P.(MD) Nos.17717 of 2016 and 226 of 2017

N.Subbiah

... Petitioner

/vs./

- 1.The State of Tamil Nadu,
rep. by its Secretary to Government,
Department of Commercial Taxes and Registration,
Fort St.George,
Chennai 600 009.
- 2.The Inspector General of Registration,
Registration Department,
Santhome, Chennai 600 028.
- 3.The District Registrar (Admin),
Registration Department,
Tuticorin.
- 4.The Sub Registrar,
Registration Department,
Vilathikulam,
Tuticorin District.



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5.The Block Development Officer,
(Village Panchayat),
Panchayat Union,
Vilathikulam,
Tuticorin District.

6.The Tahsildar,
Vilathikulam Taluk,
Tuticorin District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the Notice No.3/2016 dated 18.10.2016 quash the same and to direct the 4th respondent to number the pending document no. 32/2015 dated 8.7.2015 and return the same to the petitioner after numbering the Sale Deed.

For Petitioner : Mr.B.N.Raja Mohamed

For Respondents : Mr. M.Sarengan
Additional Government Pleader

ORDER

The writ petition had been filed challenging the communication of the fourth respondent in returning the document that was sought to be registered.

2. It is the contention of the petitioner that no reason had been assigned by the fourth respondent for refusal of registering the document. A reading of the



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order impugned would only indicate that when a sale deed with respect to the very same land was sought to be registered by a third party, the same had been returned. No reasons have been indicated as to why such return had been made.

3. Mr.M.Saravanan, learned Additional Government Pleader appearing on behalf of the official respondents would submit that the land that is sought to be conveyed under the sale deed relates to the land in S.No.263/3 and the said land has also been classified as Government poramboke land, which had also been given to the fifth respondent, in which an E-seva Maiyam had been constructed. The said reason has not been reflected in the order impugned herein and the said order is also a non speaking order. In such view of the matter, the order impugned dated 18.10.2016 passed by the fourth respondent cannot be sustained and is liable to be set aside.

4. In fine, the impugned notice No.3/2016 dated 18.10.2016 issued by the fourth respondent is set aside. The petitioner is at liberty to present the document for registration and the respondents are directed to consider the same in accordance with law.



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5. With such liberty and direction, the Writ Petition stands allowed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Index : Yes / No
Internet : Yes / No
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To

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- 3.The District Registrar (Admin),
Registration Department,
Tuticorin.
- 4.The Sub Registrar,
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- 5.The Block Development Officer,
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4/6



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K.KUMARESH BABU, J.

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