



W.P.(MD)No.23819 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.12.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE G.K.ILANTHIRAIYAN**

W.P.(MD)No.23819 of 2024

Lingaraj

... Petitioner

/Vs./

1. The District Registrar
O/o. District Registrar,
Ramanathapuram,
Ramanathapuram District.

2. The Sub Registrar
Joint No.II Sub Registrar Office,
Ramanathapuram,
Ramanathapuram District.

3. The Special Tahsildar (Land Acquisition),
Indian Navel Station,
Parunthu (I.N.S.),
Ramanathapuram,
Ramanathapuram District.
(R3 impleaded vide Court order, dated 06.12.2024
in W.M.P.(MD)No.20685 of 2024)

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the entire records in connection with the impugned Refusal Check Slip dated 13.09.2024 bearing Refusal Number RFL/Velipattinam/56/2024 to quash the same as



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unconstitutional and illegal consequently direct the 2nd respondent herein to register the partition deed dated 11.09.2024.

For Petitioner : Mr.D.Balamurugapandi

For Respondents : Mr.S.P.Maharaja

Special Government Pleader

ORDER

This Writ Petition has been filed challenging the refusal check clip dated 13.09.2024, thereby refused to register the partition deed, which was presented for registration by the petitioner dated 11.09.2024 on the ground that the subject land is under the process of acquisition for the purpose of INS Parunthu Airport.

2. Heard the learned counsel on either side and perused the materials available on record.

3. The property comprised in S.Nos.1/7, 1/8, 1/9 and 1/10 situated at Rettaioorani Village, Ramanathapuram Taluk, Ramanathapuram District, owned by the petitioner's grand father viz., Ponnaiah. He had



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two sons, viz., Azhagu and Karuppaiah. The petitioner and his sister are the legal heirs of Azhagu. One Palsamy and Ramasamy are the legal heirs of Karuppaiah. Thereafter, they decided to partition the property and execute a partition deed dated 11.09.2024. It was presented for registration before the second respondent for registration. However, the second respondent refused to register the partition deed on the ground that the subject property is under acquisition proceedings for the purpose of INS Parunthu Airport.

4. The learned Special Government Pleader, on instructions, submitted that the subject property is under the process of acquisition for the purpose of INS Parunthu Airport. Initially some extent of the property in Perunkulam South village and Rettaioorani Village were acquired to for the purpose of INS Parunthu Airport in the year 2016. Thereafter, there was no acquisition proceedings in respect of the other properties. After a period of eight years, the said project is revived and as such, the third respondent objected any registration of the property, which is under consideration of acquisition. However, sofar no notification has been issued for acquisition for the purpose of INS Parunthu Airport.



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5. Admittedly, some of the properties were acquired in the year 2016 and thereafter, no property acquired for the said project. The petitioner presented the partition deed in respect of the subject property along with legal heir. Even after registration of the partition deed, the third respondent is very well acquired the land in the manner known to law. Therefore, there is absolutely no impediment for the second respondent to register the document. In view of the above, the impugned refusal check slip dated 13.09.2024 cannot be sustained and liable to be quashed, accordingly, quashed. The petitioner is directed to represent the partition deed dated 11.09.2024 for registration. On receipt of the same, the second respondent is directed to register and handover the document forthwith.

6. With the above direction, this Writ Petition is allowed. No costs.

06.12.2024

Internet : Yes/No
NCC : Yes / No
Index : Yes/No
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G.K.ILANTHIRAIYAN, J.

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Order made in
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Dated:
06.12.2024