



W.P (MD).No.27436 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.11.2024

CORAM

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

W.P (MD).No.27436 of 2024

G.Rajkumar

...Petitioner

Vs.

1.The Inspector General,
Registration Department Head Office,
Noongampakkam,
Chennai.

2.The District Registrar,
Registration Department,
Pudukkottai.

3.The District Revenue Officer (DRO),
Pudukkottai District,
Pudukkottai.

4.The Revenue Divisional officer (RDO),
Iluppur,
Pudukkottai District.

5.The Sub-Registrar,
Annavaasal,
Pudukkottai.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records of the order passed by the fifth respondent and quash the refusal check slip dated



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21.10.2024 issued by the fifth respondent and give suitable direction to the fifth respondent to register petitioner's document by way of consider his representation dated 29.10.2024.

For Petitioner : Mr.S.Sivakumar
For Respondents : Mr.S.P.Maharajan
Special Government Pleader

ORDER

This writ petition has been filed challenging the refusal check slip issued by the fifth respondent, dated 21.10.2024 thereby, refused to register the sale deed, which was presented for registration by the petitioner, dated 19.10.2024, on the ground that the petitioner failed to obtain No Objection Certificate from the Revenue Divisional Officer or from the District Revenue Officer.

2. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. Heard the learned counsel appearing on either side and perused the materials placed before this Court.



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4. The petitioner had purchased the land comprised in Survey No. 75/5, 75/6 situated at Erumpali Village, Kulathur Taluk, Pudukkottai District to an extent of 2 acres vide document No.986/2024, dated 23.07.2024. In turn, the petitioner had executed a sale deed in favour of the third party on 19.10.2024 and presented for registration. The document was not registered and the second respondent directed the petitioner to obtain No Objection Certificate from the Revenue Divisional Officer, since the subject property was originally assigned in favour of one Arockiamary. The said Arockiamary has sold out the said property in favour of the petitioner. On perusal of the sale deed executed in favour of the petitioner, dated 23.07.2024 did not even whisper about the title derive. The petitioner's vendor did not contain any patta in respect of the subject property immediately, after the purchase of the subject property. The petitioner now executed the sale deed in favour of the third party. The said property was assigned in favour of the petitioner's vendor on condition that the subject property had not been sold within 10 years and after completion of 10 years, assignee shall obtain No Objection Certificate from the Revenue Divisional Officer or District Revenue Officer to sell the subject property. However, the petitioner obtained the No Objection Certificate from the Tahsildar without obtaining the No Objection Certificate from the Revenue Divisional Officer or District Revenue Officer as per conditions of the



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assignment. Therefore, the fifth respondent has rightly refused to register the sale deed and directed the petitioner to obtain No Objection Certificate from the Revenue Divisional Officer or the District Revenue Officer in respect of the subject property for registration.

5. Therefore, this Court finds no infirmity or illegality in the order passed by the fifth respondent and this writ petition is devoid of merits and it is liable to be dismissed.

6. Accordingly, the writ petition is dismissed. No costs. The petitioner is at liberty to obtain No Objection Certificate from the authority concerned and represent the same for registration.

Internet : Yes
Index : Yes/No
Speaking/Non Speaking order
am

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To

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G.K.ILANTHIRAIYAN, J.

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