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W.P.No.5072 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.03.2025

CORAM

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.No.5072 of 2025
and WMP.No.5626 of 2025

Kandasamy

.... Petitioner

Vs

1.The Inspector General of Registration
120, Santhome High Road
Chennai - 600 028.

2.The District Revenue Officer
Office of the District Revenue Officer
Salem.

3.The Joint Commissioner
HR&CE Department
Salem.

4.The District Registrar
Office of the District Registrar
Salem - 636 001.

5.The Sub Registrar
Tharamangalam Sub Registrar Office
Tharamangalam, Salem District.



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6. The Executive Officer
Arulmigu Sendraya Perumal Thirukoil
Omalur Taluk
Salem District.

.... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus directing the respondents 1,4 & 5 to consider the petitioner's representations dated 24.08.2023 and 31.12.2024 and consequently recall the ban imposed on registration of deeds of conveyance over the petitioner's property comprised in Survey Nos.125/A3 & 126/2 of Sikkampatti Village, Omalur Taluk, Salem District, vide Letter in Na.Ka.No.9831/98/A3, dated 15.03.2002 issued by the third respondent.

For Petitioner : Mr.E.J.Ayyappan

For Respondents : Mr.B.Vijay
Additional Government Pleader
for R1, R2, R4 & R5

Mr.N.R.Arun Natarajan
Special Government Pleader
for R3 & R6

ORDER

This writ petition has been filed for issue of Writ of Mandamus directing the respondents 1,4 and 5 to consider the representations made by the petitioner



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on 24.08.2022 and 31.12.2024 and to recall the ban imposed on the registration of the document pertaining to the property.

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2. When the matter came up for hearing on 19.02.2025, this Court passed the following order :

"Mr.M.R.Gokulkrishnan, learned Additional Government Pleader, takes notice for respondents 1, 2, 4 and 5.

2. Mr.N.R.Arun Natarajan, learned Additional Government Pleader, takes notice for the respondents 3 and 6.

3. Learned counsel for the petitioner submitted that the issue involved in the present writ petition is squarely covered by the earlier order passed in W.P.No.37965 of 2024 dated 20.12.2024.

4. Learned Additional Government Pleaders appearing for respondents shall take instructions in this regard.

5.Post this writ at the end of the motion list on 26.02.2025."

3. Thereafter, the matter was listed for hearing on 20.03.2025 and the following order came to be passed by this Court :

"Learned counsel for the petitioner submitted that the subject matter in the present writ petition pertains to Survey Nos.125/3 and 126/2 and the judgment passed in the suit that was



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relied upon by filing typed-set of papers on the earlier occasion, does not cover these survey numbers. In view of the same, it was contended that the earlier passed by this Court in W.P.No.37965 of 2024, dated 20.12.2024, will enure in favour of the petitioner,

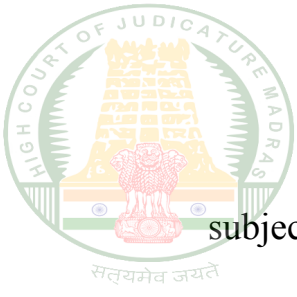
2. Learned Special Government Pleader seeks one last opportunity to produce the relevant document before this Court.

Post this writ petition finally on 25.03.2025 at the end of the motion list."

4. When the matter was taken up for hearing today, the learned Special Government Pleader appearing on behalf of the sixth respondent submitted that the subject property in Survey Nos.125/A3 and 126/2 are not the subject matter of earlier proceedings before the civil Court.

5. In the light of the above submission made by the learned Special Government Pleader and also considering the materials placed before this Court, the earlier order passed by this Court in W.P.No.37965 of 2024, dated 20.12.2024, will equally enure in favour of the petitioner also.

6. In the result, there shall be a direction to the fourth and fifth respondents to entertain the documents that are submitted for registration pertaining to the



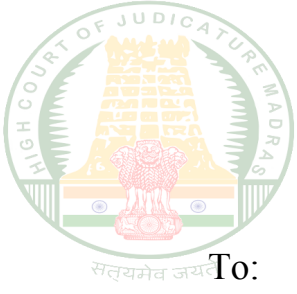
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subject property in Survey Nos.125/A3 and 126/2. If at all the sixth respondent is claiming any right over the subject property, it is left open to the sixth respondent to work out the remedy in accordance with law. It is made clear that the letter received from the HR&CE Department, banning registration of the documents pertaining to the subject property will not be put against the petitioner or any successor in interest, and the documents will be entertained for registration.

7. This writ petition is disposed of in the above terms. No costs. Consequently, connected miscellaneous petition is closed.

25.03.2025

Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral citation : Yes/No
ds



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N. ANAND VENKATESH., J

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