



W.P.(MD)No.1190 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.(MD)No.1190 of 2025

Rajapandian

... Petitioner

- Vs. -

1. The Revenue Divisional Officer,
Kovilpatti Sub Division,
Thoothukudi District

2. The Tahsildar,
Ottapidaram Taluk,
Thoothukudi District

3. The Sub Registrar,
Ottapidaram Taluk,
Thoothukudi District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records of the impugned order passed by 3rd respondent herein refusal check slip in Refusal No. RFL/Ottapidaram 2/2025 dated 07.01.2025 and quash the same and further direct the 3rd respondent to register the sale deed presented by the petitioner in respect of 3 acres of punjai land in survey no.491/4 at Ottapidaram Taluk, Thoothukudi District within a period stipulated by this Honble Court without insisting no objection certificate from the 1st respondent.

For Petitioner : Mr.J.Joseph Zinoson

For Respondents : Mr.S.P.Maharajan

Special Government Pleader



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ORDER

This writ petition has been filed against the refusal check slip in Refusal No.RFL/Ottapidaram 2/2025 dated 07.01.2025 and for consequential direction to the third respondent to register the sale deed presented by the petitioner in respect of 3 acres of punjai land in survey No.491/4 at Ottapidaram Taluk, Thoothukudi District within a stipulated period without insisting no objection certificate from the first respondent.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself. Heard the learned counsel on either side and perused the materials placed before this Court.

3. The petitioner purchased the property 3 acres of punjai land in Survey No.491/4 in Ottapidaram Taluk, Panchalankurichi Village vide sale deed dated 30.10.2023. Thereafter, the petitioner sold the same in favour of the third party vide sale deed dated 07.01.2025 and presented the same for registration. The third respondent refused to register the same and directed the petitioner to obtain no objection certificate from the first respondent.



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4. The Special Government Pleader appearing for the respondents 1 to 3 submitted that the second respondent sent a communication to the third respondent thereby informed that the subject loan and the other loan comprised in various survey numbers were originally assigned in favour of the family members of Veerapandiya Kattabomman and no registration was made in respect of those loans without obtaining no objection certificate from the first respondent since the subject land originally belonged to the Forest Department by virtue of the communication dated 29.01.1978 in the proceedings in G4.57594/78. On a perusal of the said proceedings, the District Collector informed the first respondent that no part of the land assigned be sold and that in case of sale, the sale would be invalid and the site will be reverted back to the Forest Department. Accordingly, the first respondent was directed to take necessary action to incorporate the said conditions in the Taluk and the Village accounts. Further by virtue of Government Order in G.O.(Ms.)No.558, Forests and Fisheries, dated 18.07.2013 to an extent of 615 cents of Forests Lands comprised in various survey numbers were assigned to the descendants of Veerapandiya Kattabomman for the use of house-sites and agricultural purpose. As per the order from the District Collector, the second



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respondent herein raised objections to register any document in respect of the subject properties which were originally assigned in favour of the descendants of Veerapandiya Kattabomman. However, it was not brought to the notice of this Court in W.P(MD)No.18680 of 2018 dated 20.03.2019. Therefore, reliance on the judgment passed in WP(MD)No. 18680 of 2018 cannot be followed in this writ petition. Hence, the third respondent rightly refused to register the sale deed in respect of the subject property and directed the petitioner to obtain no objection certificate from the first respondent to register the sale deed which was presented for registration by the petitioner.

5. In view of the above, this Court finds no infirmity or illegality in the order passed by the third respondent and this writ petition is devoid of merits and it is liable to be dismissed. Accordingly, the same is dismissed. No costs.

20.01.2025

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

CM

TO:-

1. The Revenue Divisional Office Er, Kovilpatti Sub Division,
Thoothukudi District
2. The Tahsildar Ottaipidaram Taluk,
Thoothukudi District
3. The Sub Registrar Ottaipidaram Taluk,
Thoothukudi District

Order made in
W.P.(MD)No.1190 of 2025

Dated:
20.01.2025