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Rev.Appln.Writ (MD) No.22 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.04.2025

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THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

Rev.Appln.Writ (MD) No.22 of 2025
in W.P.(MD) No.15263 of 2024
and W.M.P.(MD) No.3694 of 2025

The Sub Registrar,
Joint-II, Office of the Sub Registrar,
Palani Taluk, Dindigul District

... Review Applicant/Respondent

-vs-

1. N.Sivabalaji
2. R.Subramaniyan

... Respondents/Writ Petitioners

Prayer: Review Application under Order 47 Rule 1 & 2 of CPC r/w Section 114 of CPC is filed, praying to review the order passed by this Court in W.P.(MD) No.15263 of 2024 dated 08.08.2024 and to dismiss the Writ Petition.

For Applicant : Mr.Veerakathiravan, AAG
For Mr.S.Vinodh, Govt. Advocate
For Respondents : Mr.Kaviarasan
For Mr.M.O.Thevankumar

ORDER

The Review Applicant / Respondent in the Writ Petition has filed this application to review the order passed by this Court in W.P.(MD) No.15263 of 2024 dated 08.08.2024 and to dismiss the Writ Petition.



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2. This Court, vide order dated 08.08.2024, which is under review, directed that if any proceeding initiated under Section 47 of the Indian Stamp Act, the same shall be completed and order shall be passed within a period of three months after hearing the petitioner. It was further directed that the petition mentioned document shall be released on payment of stamp determined.

3. Today, learned Additional Advocate General has brought to the notice of this Court that the property is sought to be purchased by a Non-Scheduled Caste person, which is prohibited under Tamil Nadu Land Reforms (Disposal of Surplus Land) Rules, 1965. According to him, Rule 9 stipulates that lands once assigned to a member of the Scheduled Caste or Scheduled Tribe shall not be sold to any person other than a member of the Scheduled Caste or Scheduled Tribe. Further, there is a prohibition under Section 22-B(2) of the Tamil Nadu Registration Act, 1908. He further submitted that in this regard, a Refusal Slip has already been issued on 17.02.2023, which has not been brought to the notice of this Court.

4. On perusal of the Refusal Slip, it is seen that the said Slip



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had been issued in view of the prohibition prescribed under the Tamil Nadu Land Reforms (Disposal of Surplus Land) Rules, 1965 r/w the Registration Act, 1908 in respect of registration of lands assigned to a member of a member of the Scheduled Caste or Scheduled Tribe to a member of the Non-Scheduled Caste or Scheduled Tribe. Admittedly, the Refusal Slip has not been challenged. Unless the same is challenged in the manner known to law, the order passed in the Writ Petition has no legs to stand and is liable to be revoked.

5. Accordingly, the Review Application is allowed and the order passed in the Writ Petition is hereby revoked. Consequently, the Writ Petition stands dismissed. Liberty is granted to the Writ Petitioners to challenge the Refusal Slip issued in this regard as per law. No costs. Consequently, connected Miscellaneous Petition is closed.

28.04.2025

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N.SATHISH KUMAR,J.,

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