

W.A.(MD)No.151 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.08.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**W.A.(MD)No.151 of 2024
and
C.M.P.(MD)No.1302 of 2024**

The Sub Registrar,
Sanarpatti Sub Registration Office,
Sanarpatti, Dindigul District.

... Appellant

Vs.

1.Ramasamy

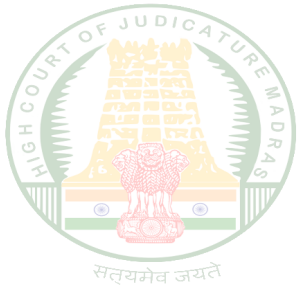
2.The Tamil Nadu Boodhana Board,
Represented by its Chairman,
Maduai.

3.The Tamil Nadu Boodan Board,
Rep. by Commissioner of Land Reforms,
Ezhilagam, Chepauk,
Chennai – 600 005.

... Respondents

(R3 is suo motu impleaded vide order dated
13.02.2025 in W.A.(MD)No.151 of 2024 by
DKKJ & RVJ)

Prayer : Writ Appeal filed under Clause XV of Letters Patent, to allow
the writ appeal by setting aside the order passed in W.P.(MD)No.16366
of 2020 dated 23.03.2023 on the file of this Court.



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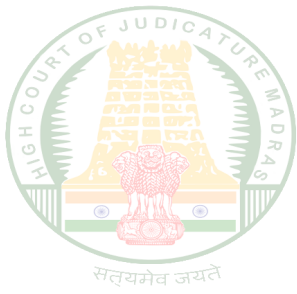
For Appellant : Mr.Veerakathiravan,
Addl. Advocate General,
Assisted by Mr.S.Shaji Bino,
Spl. Government Pleader.

For Respondents : Mr.J.Lawrance for R1
No appearance for R2 & R3.

JUDGMENT
(By G.R.SWAMINATHAN, J.)

Heard the learned Additional Advocate General for the appellant and the learned counsel for the first respondent.

2.The writ petitioner purchased the petition mentioned property vide sale deed dated 11.12.2017. It was presented for registration before the Sub-Registrar, Sanarpatti. The Sub-Registrar noted that the land has been classified as boodan land. He therefore called upon the executants to obtain no objection certificate from the Boodan Board. In that view of the matter, refusal check slip was issued. Challenging the same, W.P.(MD)No.16366 of 2020 was filed. The document was kept as pending document. The learned Single Judge vide order dated 23.03.2023 allowed the writ petition in the following terms:-



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“6. The arguments of the learned counsel for the first respondent and the reasons given for refusing the registration are absolutely fallacious. The petitioner has produced the Judgment and Decree of the Civil Court, which after considering the evidences on record has declared the title of the petitioner and his brother to the property in question and further rejected the claim of the Board. Pursuant to the Judgment and Decree of the Civil Court, the revenue records have also been mutated in the name of the petitioner and his brother and in these given circumstances, the insistence of No Objection Certificate from the Board and Tahsildar, Dindigul East Taluk, Dindigul is absolutely without any basis and requires to be rejected.

7. Therefore, the writ petition is allowed. The impugned order of the first respondent dated 17.02.2020 is set aside. The first respondent is directed to register the sale deed and hand over the registered document back to the petitioner within a period of two weeks from the date of receipt of a copy of this order. No costs.”

Aggrieved by the same, the registering authority has filed this writ appeal.

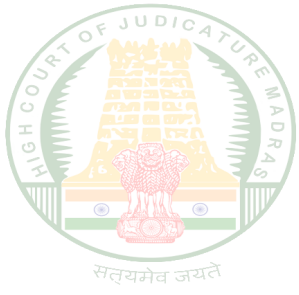
3. We are of the view that direction to straightway register the document could not have been issued. In the very nature of things, the



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matter should have been remitted to the file of the registering authority and enquiry should have been ordered to be held. Proper notice ought to be issued to the Boodan Board also.

4.In this view of the matter, the direction given by the learned Single Judge for registering the document and releasing the same is set aside. The matter is remitted to the file of the registering authority. The registering authority shall issue notice to the writ petitioner as well as Boodan Board, Rep. by the Commissioner of Land Reforms, Chennai -5. The parties are permitted to place all the relevant documents. The Boodan Board will have to satisfy the registering authority that the decree dated 30.06.1993 passed by the Additional Sub Court, Dindigul has been stayed or set aside in the manner known to law. If necessary, even a breathing time of twelve weeks can be given to Boodan Board to question the same in the manner known to law. If even at the end of the said period, Boodan Board is unable to produce any document in their favour, the document will have to be registered.



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5.This writ appeal is partly allowed. No costs. Consequently,

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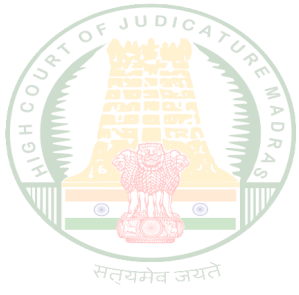
connected miscellaneous petition is closed.

**(G.R.S. J.) & (K.R.S. J.)
08.08.2025**

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:

- 1.The Sub Registrar,
Sanarpatti Sub Registration Office,
Sanarpatti, Dindigul District.
- 2.The Tamil Nadu Boodhana Board,
Rep. by Commissioner of Land Reforms,
Ezhilagam, Chepauk,
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