

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.34404 OF 2018

ORDER:

This writ petition came to be filed seeking to declare the impugned order dated 6.7.2018, issued by the 3rd respondent, as illegal and arbitrary.

Learned counsel for the petitioner relied upon Section 68(2) of the Indian Registration Act, 1908 (for short, "the Act"), to show that the corrections if any in the revenue records can be made by the Registrar.

Section 68(2) of the Act, states that every Registrar, shall have the authority to issue (whether on complaint or otherwise) any order consistent with this Act which he considers necessary in respect of any act or omission of any Sub-Registrar subordinate to him or in respect of the rectification of any error regarding the book of the office in which any document has been registered.

Relying on the said proviso, learned counsel for the petitioner submits that the Registrar is having power to make corrections if any in the revenue records. If the plea of the petitioner is to be accepted, then the remedy available to the petitioner would be to approach the Registrar, seeking corrections of the revenue records.

Learned Government Pleader for Revenue, would submit that the proper remedy available to the petitioner is to approach the civil Court seeking correction of entries in the revenue records. But, the learned counsel for the petitioner reiterates that it is only the Registrar, who can make the necessary correction in view of Section 68(2) of the Act. If the petitioner is of the opinion that the Registrar is the competent authority, he should have availed the remedy available under Section 68(2) of the Act, instead of approaching the Court.

Having regard to the above, the writ petitioner as urged by his counsel may avail the remedy.

Accordingly, the writ petition is disposed of. No order as to costs.

As a sequel to disposal of the writ petition, WP.M.Ps if any pending shall stand closed.

Dated:01.10.2018.
Gk

C. PRAVEEN KUMAR, J



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