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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. No.11117 of 2013

D.Gnanammal

... Petitioner

Vs

1.The Secretary to the Government,
Department of Adi-Drivadar,
St. George Fort,
Chennai-600 009.

2.The Inspector General of Registration,
Registration Department,
Santhome High Road,
Santhome, Chennai-600 004.

3.The District Collector,
Vellore District.

4.The Revenue District Officer,
Vellore District.

5.The Thasildhar,
Vellore Taluk,
Vellore District.

6.The Sub Registrar,
Registration Department,
Pallikonda Sub Registrar Office,
Pallikonda, Vellore District.

7.D.Parthiban

... Respondents

(R2 and R6 cause title amended as per Order
dated 06.11.2019 made in W.M.P. No.30876
of 2019 in W.P. No.11117 of 2013 by TRJ)

Prayer: Writ Petition filed under Article 226 of the
Constitution of India praying to issue a Writ of Mandamus
directing the 6th respondent to cancel the registration of the
Sale Deed registered in Document No.1065/2006 dated 25.05.2006
in favour of the 7th respondent in pursuant the property
comprised in old Survey No.192/6A, New Survey No.192/38,
Anaikattu Village having extent of 714 sq.ft. and direct the



reconvey the Dc land situated at Annaicut Village, Vellore District comprised in Old S.No.192/6A, New S.No.192/38 to the petitioner and her legal heirs.

For Petitioner : Mr.K.Govi Ganesan
for M/s.M.Marudhachalam
For Respondents : Mr.V.Shanmuga Sundar,
Special Government Pleader
for R1, 3 to 5
Mr.P.P.Purushothaman,
Government Advocate
for R2 and 6
Mr.E.Kannadasan for R7

ORDER

The petitioner has come to this Court seeking a direction to the Sub Registrar, Registration Department, Pallikonda Sub Registrar Office, Vellore District, the 6th respondent herein to cancel the registration of the Sale Deed registered in Document No.1065/2006 dated 25.05.2006 in favour of the 7th respondent in respect of the property comprised in old Survey No.192/6A, New Survey No.192/38, Anaikattu Village, having an extent of 714 sq.ft. and to re-convey the DC land situated at Annaicut Village, Vellore District comprised in Old S.No.192/6A, New S.No.192/38 to her and her legal heirs.

2.It is the claim of the petitioner that her husband K.P.Devan borrowed a sum of Rs.25,000/- from the seventh respondent in the year 2000 and the same was returned to him with interest. After his demise on 16.12.2004, the seventh respondent threatened the petitioner to compulsorily register the DC lands in his favour. Therefore, she approached the police station and gave a complaint. As the Government of Tamil Nadu allotted the DC lands for the welfare of Denotified Communities, the DC land registered in favour of the seventh respondent is liable to be cancelled by the sixth respondent. Therefore, the petitioner has been advised to come to this Court to cancel the registration of the Sale Deed registered as Document No.1065/2006 dated 25.05.2006 in favour of the seventh respondent.

3.Reiterating the averments made in the Counter affidavit filed by the fifth respondent, learned Special Government Pleader appearing for respondents 1, 3 to 5 would submit that during the year 1987, the lands in Survey No.192/6A measuring to an extent of Hec.1.01 Ares was a Poromboke land and subsequently in the year 1991, a Scheme was formed as Natham Settlement Scheme. Based on the enjoyment and documents by the concerned



parties, the said lands were sub divided into several plots and one such plot in New Survey No.192/38 was allotted to the petitioner to an extent of 191 sq.mtr. But, in the revenue records such as, DC land register and UDR A - register, there is no mention about the disputed land as DC land and therefore, if the petitioner has got any remedy, she has to approach the proper authority.

4.Learned counsel appearing for the petitioner, producing a reply issued by the Tahsildar under the Right to Information Officer, Annaikattu, submitted that it is the land belonging to DC.

5.Since the counter affidavit has been filed by the fifth respondent showing that the land in question is not the DC land, this Court is not inclined to entertain the writ petition. Accordingly, the writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

1.The Secretary to the Government,
Department of Adi-Drivadar, St. George Fort, Chennai-600 009.

2.The Inspector General of Registration,
Registration Department, Santhome High Road,
Santhome, Chennai-600 004.

3.The District Collector, Vellore District.

4.The Revenue District Officer, Vellore District.

5.The Thasildhar, Vellore Taluk, Vellore District.

6.The Sub Registrar, Registration Department,
Pallikonda Sub Registrar Office,
Pallikonda, Vellore District.

+1 cc to M/s.E.Kannadasan, Advocate Sr.No. 95661

+1 cc to M/s.M.Marudhachalam, Advocate Sr.No.95636

+1 cc to The Government Pleader Sr.No. 96069

AKM/06.01.2020/3P- 10C /

W.P. No.11117 of 2013