



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.11165 of 2016

P.Baskaran

... Petitioner

Vs.

1. The Sub-Registrar,
Sholavandhan,
Vadipatti Taluk, Madurai District.

2. The Tahsildar,
Vadipatti, Vadipatti Taluk,
Madurai District.

3. The Divisional Manager,
Madurai Division,
Southern Railway,
Madurai.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to delete the entry dated 26.07.1996, Land Acquisition Award Document No.LN08/1997 FV 1585 registered in page No.61 of the first respondent's encumbrance register in respect of S.No.165 Sholavandhan Village, Vadipatti Taluk, Madurai District, considering the petitioner's representation dated 09.04.2016 within the time frame fixed by this Court.

For Petitioner : Mr.L.Suthakaran

For R-1 & R-2 : Mr.M.Murugan,
Government Advocate.

For R-3 : Mr.S.Manohar

O R D E R

The petitioner's lands are comprised in Survey Nos.165 and 166 of Sholavandhan Village, Vadipatti Taluk, Madurai District. He purchased the said lands vide sale deed dated 20.10.2014. When he applied for issuance of Encumbrance Certificate, he was shocked to note as if the lands in question are covered by the land acquisition award to which the third respondent is a party. He therefore gave a



representation on 09.04.2016 calling for deletion of this erroneous entry.

2. When the matter was taken up for hearing, the learned Government Advocate appearing for respondents 1 and 2 would state that the encumbrance entered in favour of the Southern Railways should be in respect of some lands in Irumbadi Village. By mistake, Survey No.165 of Sholavandhan Village has been shown. Therefore, I come to the conclusion that the petitioner is entitled to the relief sought for. The offending entries shall be deleted, forthwith.

3. This Writ petition stands allowed, accordingly. No costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Sub-Registrar,
Sholavandhan,
Vadipatti Taluk, Madurai District.
2. The Tahsildar,
Vadipatti, Vadipatti Taluk,
Madurai District.
3. The Divisional Manager,
Madurai Division,
Southern Railway,
Madurai.

+1 CC to M/s.I.SUTHAKARAN, Advocate in SR-59959

+1 CC to M/s.S.MANO HAR, Advocate in SR-60019

W.P. (MD) No.11165 of 2016
08.04.2019

pmu

PK/27.04.2019 : 2P/6C