

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.14825 of 2020

Mr.R.L. Jayavenkataraman

... Petitioner

Vs.

The Sub-Registrar,
Office of the Sub Registrar,
Avarapakkam, Tindivanam Taluk,
Villupuram District.

.... Respondent

PRAYER : Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Certiorarified Mandamus to call for the records in Na.Ka.No.260 of 2020 dated 15.09.2020 passed by the respondent and quash the same and consequently direct the respondent to correct the Survey No. as 455/4 instead of S.No.455/2 and 3 in the Sale Deed dated 06.03.2014.

For Petitioner : Mr.A.Ilaya Perumal

For Respondents : Mr.T.M. Pappiah

O R D E R

This writ petition has been filed challenging the impugned notice issued by the respondent dated 15.09.2020, wherein, the respondent rejected the claim made by the petitioner to correct the survey number that has been entered in the record maintained by the respondent.

2. The case of the petitioner is that the subject property situated in Survey No.455/4 originally belonged to one Muthu and Arumugam. They executed a Power of Attorney, wherein, instead of mentioning the survey number as 455/4, it has been mentioned as 455/2 and 455/3. According to the petitioner, this is a typographical error, which thereafter found place in the sale deed also that was executed in favour of the petitioner.

3. The petitioner made a representation on 17.08.2020 to the respondent seeking for the change of survey number in the General Power of Attorney and also the sale deed executed in favour of the petitioner on 6.3.2014. This representation came to be rejected by the respondent through the impugned

proceedings dated 15.09.2020. Aggrieved by the same, the present Writ Petition has been filed before this Court.

4. Heard Mr.A.Ilaya Perumal, learned counsel appearing for the petitioner and Mr.T.M.Pappiah, learned Spl. Govt. Pleader appearing for the respondents.

5. The grievance of the petitioner is that there is a typographical error while describing the survey number both in the Power of Attorney dated 12.5.2006 as well as the sale deed dated 6.3.2014. The records maintained by the respondent can only reflect the survey number that is shown in the document. If at all, any change has to be made, the same can be done only by way of executing a Rectification Deed by showing the correct survey number. Only after the Rectification Deed gets registered before the respondent, the earlier mistake in describing the survey number gets changed. The respondent does not have any power under the relevant enactment to make such change in the survey number in the documents registered before the respondent.

6. This Court does not find any ground to interfere with the impugned proceedings of the respondent and the respondent was perfectly right in rejecting the request made by the petitioner.

7. In the result, this Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To
The Sub-Registrar,
Office of the Sub Registrar,
Avarapakkam, Tindivanam Taluk,
Villupuram District.

+1cc to M/s.V.Bhiman, Advocate, S.R.No.35286
+1cc to the Government Pleader, S.R.No.35453

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VG-II(CO)
RV(10/12/2020)