



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.10.2020

CORAM

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

WEB COPY

W.P. (MD) No.13610 of 2020
and
W.M.P. (MD) No.11328 of 2020

S.Sugunadevi

... Petitioner

-Vs-

The Sub Registrar,
O/o. The Sub Registrar,
Kodaikanal, Dindigul District.

... Respondent

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a writ of Certiorarified Mandamus, calling for the records of the respondent particularly that of the impugned communication in RFL / Kodaikanal/29/2020 dated 23.09.2020 and quash the same as illegal, unlawful without jurisdiction and against the principles of natural justice and consequently, direct the respondent to register the document presented by the petitioner in respect of the land in Town Survey No.7/4 an extent of 0.61.00 Ars., situated at Kodaikanal Town, Ward B, Block 2.

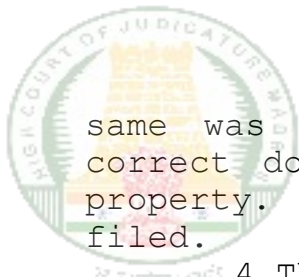
For Petitioner : Mr.K.Anandan
For Respondent : Mr.K.Sathyasingh,
Additional Government Pleader.

ORDER

The petitioner has come forward with this Writ Petition to quash the impugned order of the respondent dated 23.09.2020 and seeking consequential direction to the respondent to register the document presented by the petitioner in respect of the land in Town Survey No.7/4 an extent of 0.61.00 Ars., situated at Kodaikanal Town, Ward B, Block 2.

2.By consent, this Writ Petition is taken up for final disposal at the stage of admission itself. Mr.K.Sathyasingh, learned Additional Government Pleader accepts notice on behalf of the respondent.

3.The petitioner is in possession and enjoyment of the property in T.S.No.7/4 to an extent of 0.61.00 Ars., situated at Kodaikanal Town, Ward B, Block 2 and all revenue records stand in the name of the petitioner. Due to ill health, the petitioner wants to appoint her husband as power of attorney for the said property and applied for online registration before the respondent and the



same was refused by the respondent on 23.09.2020, stating that correct documents should be filed for proving the title for the property. Aggrieved by the same, the present Writ Petition is filed.

4.The learned Additional Government Pleader appearing for the respondent would submit that it is the poromboke land.

5.The learned counsel appearing for the petitioner vehemently contented that she has got patta to the property in question and that she is entitled to title over the property.

6.This Court is of the view that a patta will not give any right to the property. In many cases, pattas are turned out to be forged and some of the revenue officials are in collusion with the concerned persons. In this case, when the genuineness of the patta which is enclosed at page No.1 of the typed set of papers is under question and according to the respondents, the subject land is a poromboke, it is open to the petitioner to agitate her remedy before the appropriate civil forum. Hence, this Writ Petition stands dismissed with liberty to the petitioner to approach the appropriate civil forum and filing of this Writ Petition is not an alternative remedy. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Writs)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Note:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

The Sub Registrar,
O/o. The Sub Registrar,
Kodaikanal, Dindigul District.

+1CC to Special Government Pleader, SR-19298.
+1CC to M/s. K.Anandan, Advocate SR-19237.

Order made in
W.P. (MD) No.13610 of 2020
06.10.2020

Myr

SDS (16.10.2020) 2P-4C

<https://hcservices.ecourts.gov.in/hcservices/>