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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2021

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.Nos. 5355, 5359 and 5361 of 2021

R.Subramani	... Petitioner in W.P.No.5355/2021
S.E.Dhandapani	... Petitioner in W.P.No.5359/2021
M.Vijaya	... Petitioner in W.P.No.5361/2021

vs.

1. The District Revenue Officer,
Thirupattur,
Tirupattur District.
2. The Revenue Divisional Officer,
Thirupattur,
Thirupattur District.
3. The Sub Collector,
Sub Collector Office,
Thirupattur, Thirupattur District.
4. The Tashildar,
Thirupattur Taluk,
Thirupattur District.
5. The Sub-Registrar,
Jolarpet, Thirupattur,
Thirupattur District.

...Respondents in all WPs.

Prayer in W.P.No.5355 of 2021: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to lift the ban order imposed by the second respondent in his proceedings No. Na.Ka.A3/1776/2006 dated 10.08.2007 in so far as it relates to the Agriculture land owned by the petitioner in Survey No.86/1 (4.10 acres) in Athanavour Village, Yelagirihills, Thirupattur District.



Prayer in W.P.No.5359 of 2021: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to lift the ban order imposed by the second respondent in his proceedings No. Na.Ka.A3/1776/2006 dated 10.08.2007 in so far as it relates to the Agriculture land owned by the petitioner in Survey No.86 sub divided into Survey Nos.86/10, 86/11 totalling 1.30 Acres in Athanoor Village, Yelagiri hills, Thirupattur District.

Prayer in W.P.No.5361 of 2021: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to lift the ban order imposed by the second respondent in his proceedings No. Na.Ka.A3/1776/2006 dated 10.08.2007 in so far as it relates to the Agriculture land owned by the petitioner in Survey No.260 (0.26 Acres) in Athanoor Village, Yelagirihills, Thirupattur District.

For Petitioner : Mr.A.R.Suresh
(in all WPs)

For Respondents : Mr.Yogesh Kannadasan
(in all WPs) Special Government Pleader

COMMON ORDER

These writ petitions have been filed for the following prayers:-

- (i) directing the first respondent to lift the ban order imposed by the second respondent in his proceedings No. Na.Ka.A3/1776/2006 dated 10.08.2007 in so far as it relates to the Agriculture land owned by the petitioner in Survey No.86/1 (4.10 acres) in Athanavour Village, Yelagirihills, Thirupattur District.
- (ii) directing the first respondent to lift the ban order imposed by the second respondent in his proceedings No. Na.Ka.A3/1776/2006 dated 10.08.2007 in so far as it relates to the Agriculture land owned by the petitioner in Survey No.86 sub divided into Survey Nos.86/10, 86/11 totalling 1.30 Acres in Athanoor Village, Yelagiri hills, Thirupattur District.
- (iii) directing the first respondent to lift the ban order imposed by the second respondent in his proceedings No.



Na.Ka.A3/1776/2006 dated 10.08.2007 in so far as it relates to the Agriculture land owned by the petitioner in Survey No.260 (0.26 Acres) in Athanoor Village, Yelagirihills, Thirupattur District.

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2. The case of the petitioners are that the property comprised in S.No.86/1 measuring to an extent of 4.10 acres and the property comprised in S.No.86/10, 86/11 measuring to an extent of 0.63 acres and 0.37 acres and the property comprised in S.No.260 measuring to an extent of 0.26 acres situated at Athanavour Village, Yelagiri Hills, Thirupattur Taluk and District, are owned by the respective petitioners. However, the petitioners are not able to deal with their properties by execution of deed of conveyance. Whenever, any deed of conveyance in respect of those properties presented for registration before the fourth respondent, they informed them orally that as per the proceedings of the second respondent in Na.Ka.No.A3/1776/06 dated 10.08.2007, there is a ban imposed on registration of any documents in respect of the subject properties.

3. Learned counsel for the petitioners pointed out that the property comprised in S.No.86/1 mentioned at Sl.No.34 in the Prohibition List - 1 with remarks as 'no entry' in the classification column. However, the List - II mentioned the patta lands situated in Yelagiri Hills are also included the property comprised in S.No.86/1 as patta land.

4. Likewise, the property comprised in S.No.260 included in the Prohibition List - 1 at Sl.No.105 and mentioned as 'no entry' in the classification column. Similarly, the property comprised in S.No.226/4 as shown in the Prohibition List -1 at Sl.No. 89 which is also classified as no entry. However, consequently included in the List - II mentioned at Sl.No.175 eligible for registration. He further submitted that as per the proceedings dated 10.08.2007 of the second respondent, there is a ban imposed on registration of poramboke land, anadeenam, pathai and odai etc. However, the subject properties are the agricultural lands.

5. Therefore, this Court deem it fit to direct the fourth respondent to conduct enquiry whenever any deed of conveyance presented for registration in respect of subject properties, after issuance of notice to the petitioners and the second respondent and after giving opportunity of hearing to them, pass orders to register the same on merits and in accordance with law.



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6. With the above direction, these writ petitions are disposed of. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

dm

To

1. The District Revenue Officer,
Thirupattur,
Tirupattur District.
2. The Revenue Divisional Officer,
Thirupattur,
Thirupattur District.
3. The Sub Collector,
Sub Collector Office,
Thirupattur, Thirupattur District.
4. The Tashildar,
Thirupattur Taluk,
Thirupattur District.
5. The Sub-Registrar,
Jolarpet, Thirupattur,
Thirupattur District.

+3ccs to Mr.V.Thirupathi, Advocate, S.R.No.61166
+1cc to the Government Pleader, S.R.No.61916

W.P.Nos. 5355, 5359 and 5361 of 2021

SJ[co]
NSK 08/12/2021