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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.03.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.20183 of 2013

E.Keerthinathan

... Petitioner

Vs.

1.The Inspector General of Registration,
Santhome,
Chennai.

2.The Guideline Value Committee
Rep. by its Chairman,
The District Collector Kancheepuram,
Kancheepuram.

3.The District Registrar,
Nellukkara Street,
Kancheepuram.

4.The Joint Sub - Registrar,
No.IV, Joint Sub Registration Office,
Vanigar Street,
Kancheepuram.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records of the proceedings dated 19.01.2013 passed by the second respondent and quash the same as far as the petitioner is concerned in respect of Tenyampakkam village alone.

For Petitioner : Mr.V.R.Thangavelu
for M/s.S.Selvaraj

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader



O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Certiorari calling for the records of the proceedings dated 19.01.2013 passed by the second respondent and to quash the same as far as the petitioner is concerned in respect of Tenyampakkam Village alone.

2.The case of the petitioner is that the petitioner is an agriculturist and he used to buy the agricultural property that comes up for sale in Tenyampakkam village. He presented a document for registration on 08.05.2013 and the same was kept pending. Hence, he made enquiry about the same and came to know about the impugned proceedings. Hence, this writ petition.

3.The learned counsel appearing for the petitioner submitted that in the impugned order, exorbitant amount has been fixed as guideline value for the agricultural land. He further submitted that before re-fixing the guideline value, the Special Committee has to inspect the site, obtain affidavit from at least five persons, check whether any higher value document has been registered for more than five times and thereafter the higher value should be taken into consideration and draft statement for guideline value should be drawn and it should be published in vernacular newspapers and objections should be called for from the general public and the objections received should be considered by the Special Committee and the draft statement should be accordingly modified and final statement of guideline value should be published and thereafter the new guideline value will come into effect. However, in the present case, without following any of the procedure, guideline value has been exorbitantly fixed which is un-sustainable one.

4.The learned Special Government Pleader appearing for the respondents submitted that fixing guideline value is not within the clutches of single department and it involves multiple departments. He further submitted that after following due procedures, proposal for revision of guideline value will be tabled before Taluk Level Committee for recommendation. Thereafter, Taluk Level Committee will look into the proposal and survey the whole situation. Thereafter, proposal will be tabled before the District Level Committee for consent. Thereafter, the District Level Committee will look into the objections seriously and make corrections upto the degree. Thereafter proposal obtained from multiple departments higher level Officers will be finally placed before the State Level Committee and only after



the State Level Committee approves the same, the guideline value will come into light through internet. However, without knowing these facts, the petitioner has filed this writ petition challenging the report of the District Level Committee.

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5.The learned Special Government Pleader appearing for the respondents further submitted that the impugned report of the District Level Committee was considered and thereafter the State Level Committee passed orders fixing the guideline value and guideline value was given effect and for the past ten years, the documents are registered based on the decision of the State Level Committee.

6.Heard the arguments advanced on either side and perused the materials available on record.

7.The facts in the present case is not in dispute. Admittedly, the petitioner purchased an agricultural land and presented the document for registration on 08.05.2013 and the said document was kept pending on the ground of under valuation. The grievance of the petitioner is that the District Level Committee fixed exorbitant amount as guideline value of the agricultural land.

8.Perusal of counter affidavit filed by the fourth respondent reveals that fixing the guideline value is not within the clutches of one single department but multiple departments are incorporated in the process. Deposition from the public will be scrutinized by the Village Level Committee and then recommendation will be obtained from Taluk Level Committee and then consent will be obtained from District Level Committee and consent will be finally forwarded to the State Level Committee for approval and thereafter the guideline value will come to light through internet.

9.In the present case, the entire process has been over and guideline value was given effect and for the past ten years, the documents are registered based on the decision of the State Level Committee. If at all the petitioner is of the opinion that the guideline value fixed is exorbitant, he has to work out the remedy in the manner known to law. Hence, the prayer sought for in this writ petition cannot be considered.



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10.The writ petition is accordingly dismissed. Liberty is granted to the petitioner to work out the remedy in the manner known to law in respect of the valuation fixed by the Registration Department in respect of his document. No costs.

Sd/-

Assistant Registrar(CS-V)

// True Copy //

Sub Assistant Registrar

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To

1.The Inspector General of Registration,
Santhome,
Chennai.

2.The Chairman,
The Guideline Value Committee
The District Collector Kancheepuram,
Kancheepuram.

3.The District Registrar,
Nellukkara Street,
Kancheepuram.

4.The Joint Sub - Registrar,
No.IV, Joint Sub Registration Office,
Vanigar Street,
Kancheepuram.

+1cc to Mr.R.Ramanlal, Advocate SR.No.20158
+1cc to the Government Pleader, SR.No.20403

W.P.No.20183 of 2013

BR(CO)
CB(07/04/2022)