



WEB COPY



W.P.No.20227 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2023

CORAM :

THE HONOURABLE MR. JUSTICE S.M. SUBRAMANIAM

W.P.No.20227 of 2023
and
W.M.P.No.19550 of 2023

Shankar

... Petitioner

Vs.

1.The Deputy Inspector General of Registration,
Office of Deputy Inspector General of Registration,
Vepamara Street, Velapadi, Vellore -1.

2.The District Collector,
Ranipet District, Ranipet.

3.The District Registrar (Administration)
Ranipet District, Ranipet.

4.The District Revenue Officer,
Ranipet District, Ranipet.

5.The Tahsildar,
Arokkonam Taluk,
Ranipet District.

6.Geethalakshmi

7.Sree Durga Devi

8.B.Jayaludeen

... Respondents

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PRAYER : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari calling for the records of the 1st respondent in his proceedings No.258/Aa1/2023, dated 31.05.2023, and quash the same.

For Petitioner : Mr.G.Jeremiah

For R1 to R5 : Mr.T.Venkatesh Kumar
Special Government Pleader

ORDER

The order passed by the Deputy Inspector General of Registration in proceedings dated 31.05.2023, is sought to be quashed in the present writ petition.

2.The petitioner states that he purchased the property under a registered sale deed bearing Document No.2050 of 2005 for an extent of 0.85 Acre in S.No.156, Parameswaramangalam Village, Arakkonam Taluk, and patta was issued in the name of the petitioner. The husband of 6th respondent registered a complaint regarding the dispute in the property. The 2nd respondent directed the parties to approach the competent Civil



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Court. Simultaneously, a writ petition in W.P.No.19018 of 2008 was filed by the petitioner and the said writ petition was allowed and the matter was remanded back, however, the writ petition was pertaining to another survey number and not connected with the other property.

3.Be that as it may, the findings of the respondent in the impugned order, dated 31.05.2023, reveals that civil dispute exists between the parties. The Revenue Authority or the Registering Authority or the Appellate Authority under the Registration Act are incompetent to adjudicate the title, ownership or any other civil dispute, if any, exists between the parties. All such issues are to be resolved by approaching the competent Civil Court of Law. More so, the findings, if any, made by the Revenue Authority or Registering Authority are of no binding nature and ultimately, the parties cannot get any remedy or get their grievances redressed. Contrarily, it will create further confusion and therefore, it is always preferable that the parties approach the competent Civil Court in the event of any dispute relating to title, ownership, possession, or civil rights, etc. Thus, the scope of adjudication by way of summary proceedings under the Tamil Nadu Patta Passbook Act, 1983 or Registration Act, 1908, is limited and the authorities



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cannot traverse beyond the scope of provisions of the Act and this being the factum, the petitioner is at liberty to approach the competent Civil Court of Law for the purpose of resolving the issues and for appropriate remedy which would be of final in nature.

4. With these observations, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

10.07.2023

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Internet : Yes

Index : Yes

Neutral citation : Yes

Speaking order / Nonspeaking order



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S.M. SUBRAMANIAM, J.

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