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W.P.No.23239 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :08.08.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.23239 of 2023

G.Selvi

... Petitioner

Vs.

1.The Inspector General of Registration,
Tamil Nadu Registration Department,
Santhome,
Chennai – 600 028.

2.The District Registrar,
Registration Department,
Nandanam,
Chennai – 600 035.

3.The Sub-Registrar,
Virugambakkam Registration Office,
Virugambakkam,
Chennai.

4.G.Vasanthi

5.S.Vasantharaj

6.S.Kavitha

7.S.Chithra

... Respondents



Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the Respondents 1 and 2 to consider the representation of the petitioner dated 23.05.2023 in accordance with law and cancel the illegal Registration of the Document No. 2634 of 1994 dated 25.07.1994 and Document No. 2910 of 1996 dated 07.06.1996 of Survey No. 579, situated in Maduravoyal Erikarai Area, pertaining to Eri Waterbody Poramboke land on the file of Third Respondent.

For Petitioner : Mr.V.Iniyavan

For R1 to R3 : Mr.T.Venkateshkumar,
Special Government Pleader

ORDER

The writ petition has been filed for directing the Respondents 1 and 2 to consider the representation of the petitioner dated 23.05.2023 and cancel the Registration of the Document No. 2634 of 1994 dated 25.07.1994 and Document No. 2910 of 1996 dated 07.06.1996 of Survey No. 579, situated in Maduravoyal Erikarai Area, pertaining to Eri Waterbody Poramboke land on the file of Third Respondent.

2. The issues raised in the present writ petition were adjudicated by



this Court in a batch of writ petitions in ***W.P.No.4192 of 2018 [A.Selvam vs. The Sub Registrar, Dadagapatti, Salem District] etc., and batch***, and a judgment was delivered on 15.06.2023. In this regard, the Inspector General of Registration has issued a Letter No.19464/U1/2023 dated 10.06.2023 in Circular No.1 of 2023. The relevant paragraphs of the above said judgment are extracted hereunder:

“33. In view of the facts and circumstances, the following orders are passed:

(1) In respect of the complaints pending before the District Registrars concerned and the appeals pending before the respective Appellate Authorities, the Inspector General of Registration shall direct all the authorities to follow Circular No.1/2023 dated 10.06.2023 strictly for the purpose of disposal of the complaints and the appeals in a consistent manner;

(2) The Inspector General of Registration is directed to incorporate the further clarifications as stated in this order and issue a fresh Circular within a period of two weeks from the date of receipt of a



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copy of this order;

(3) The respondents are directed to relegate the parties to approach Civil Court of Law, in the event of disputed facts regarding civil rights exist between the parties.

(4) In the event of violation of the guidelines issued by the Inspector General of Registration or the directions issued by this Court or any other lapses, negligence or dereliction of duty is found while performing the duties by the authorities, departmental disciplinary proceedings are to be initiated under the relevant Service Rules.

(5) The Inspector General of Registration is directed to conduct periodical Reviews as warranted under the Rules of Public Administration.”

3. In view of the fact that the case of the petitioner is also similar to that of the cases (cited *supra*), the case of the petitioner is also to be considered on the same line.



4. Accordingly, this Writ Petition stands disposed of. No costs.

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08.08.2023

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Index : Yes

Speaking order

To

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S.M.SUBRAMANIAM, J.

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