



WEB COPY



W.P.No.30012 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2023

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.30012 of 2017
and
W.M.P.No.32546 of 2017

Balusamy

... Petitioner

Vs.

1. The District Registrar,
(Administration) Coimbatore,
Coimbatore District.
2. The Sub Registrar,
O/o.The Registrar Office,
Annur, Coimbatore District.
3. Selvaraj

... Respondents

Prayer :- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for the records relating to the impugned order dated 07.04.2016 passed by the 2nd respondent, quash the same and consequently direct the 2nd Respondent to receive and register the Decree in O.S.50 of 2016 on the file of the Sub-Court, Tiruppur District in respect of the property measuring an extent of 12.89 acres comprised in S.F.No.112/1, S.F.No.113/1, Pongalur Village, Avinashi Taluk, Tiruppur District.



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For Petitioner : Mr.P.Marudhu Pandiyan for
M/s.S.Vinoth Kumar

For Respondents :
(for R1 & R2) : Mr.D.Ravichander, Special Govt. Pleader
(for R3) : No Appearance

ORDER

The order impugned dated 07.04.2016, states that the documents presented by the petitioner for registration is pertaining to the Government Poramboke land.

2. The Registering Authority, on verification, found that the subject property is classified as "Government Poramboke" and therefore, the decree presented by the petitioner cannot be registered. The Decree granted by the Civil Court was between the private parties and therefore, the same is not binding on the Government.

3. In respect of the Government Poramboke land, private parties cannot secure a decree from the Civil Court and register the same under the provisions of the Registration Act. The Registering Authority is empowered to refuse such registration under Section 22-A of the



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Registration Act. In respect of the Government land, the Registering Authority cannot register the same and therefore, the impugned order has been passed in consonance with the provisions of the Registration Act.

4. Accordingly, the writ petition stands **dismissed**. No costs.
Consequently, connected miscellaneous petition is closed.

(sha)
Index : Yes
Speaking Order
Neutral Citation : Yes

31.07.2023

To

1. The District Registrar,
(Administration) Coimbatore,
Coimbatore District.
2. The Sub Registrar,
O/o.The Registrar Office,
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S.M.SUBRAMANIAM. J.,

(sha)

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