



W.P.(MD)No.247 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.10.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.247 of 2021

Raman

... Petitioner

Vs.

1.The Registrar,
District Registration Office,
Sivagangai,
Sivagangai District.

2.The Sub Registrar
Sub Registrar Office,
Kalaiyarkovil,
Kalaiyarkovil Taluk,
Sivagangai District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd respondent to register the settlement deed document dated 01.12.2020 in Natham Old Survey No.370/1 Pa, New Survey No.370/12 Patta No.195 an extent of 00325 ares situated at Thelliyanvayal village, Ponnalikottai, Devakottai Taluk, Sivagangai District and consider the petitioner's representation dated 21.12.2020



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For Petitioner : Mr.S.Pugalendhi
For R-1& R-2 : Ms.D.Farjana Ghoushia
Special Government Pleader

ORDER

This Writ Petition has been filed for the issue of writ of mandamus directing the second respondent to register the settlement deed presented for registration by the petitioner with respect to the subject property.

2. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

3. The second respondent has filed a detailed counter affidavit in this case. The second respondent has taken a stand that the subject property has been classified as “water catchment area” and therefore, the document cannot be entertained, since there is a bar in registering such property.



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4. If the second respondent is not inclined to register the document for any reason, the second respondent should formally pass an order rejecting the registration of the document and that will at least enable the petitioner to work out his remedy in accordance with law. Therefore, there shall be a direction to the second respondent to pass appropriate orders within a period of four (4) weeks from the date of receipt of a copy of this order. If ultimately the second respondent refuses to entertain the document by virtue of the order, it is left open to the petitioner to work out his remedy in the manner known to law.

5. This Writ Petition is disposed of with the above directions.

No costs.

10.10.2023

NCC:yes/no
Index:yes/no
Internet:yes/no
tsg



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N.ANAND VENKATESH, J.

tsg

To

1.The Registrar,
District Registration Office,
Sivagangai,
Sivagangai District.

2.The Sub Registrar
Sub Registrar Office,
Kalaiyarkovil,
Kalaiyarkovil Taluk,
Sivagangai District.

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