



W.P.(MD)No.701 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 13.03.2023

CORAM

THE HONOURABLE MR.JUSTICE **C.V.KARTHIKEYAN**

W.P.(MD)No.701 of 2023

and

W.M.P.(MD)Nos.695 and 696 of 2023

Pasumalai

... Petitioner

vs.

1.The Sub Registrar,
Paramakudi, Ramanathapuram District.

2.The District Collector,
Ramanathapuram District.

3.The Sub Collector,
Paramakudi, Ramanathapuram District.

4.The District Revenue Officer,
Ramanathapuram, Ramanathapuram District. ... Respondents

(R4 *suo motu* impleaded vide order of this Court, dated 13.03.2023)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari to call for the records relating to the proceedings of the first respondent in Refusal No.RFL/Paramakudi/20/2022, dated 30.08.2022 and to quash the same.



W.P.(MD)No.701 of 2023

For Petitioner :Mr.R,Murali for Mr.B.Ponnupandi
For R1 :Mr.M.Prakash
Additional Government Pleader
For R2 to R4 :Mr.J.Ashok
Additional Government Pleader

ORDER

In view of the nature of order passed, it would only be appropriate that the District Revenue Officer, Ramanathapuram, is also made as fourth respondent *suo motu* in the Writ Petition.

2.The Registry, before issuing the order copy, may amend the cause title by also impleading the District Revenue Officer, Ramanathapuram, as the fourth respondent.

3.The Writ Petition has been filed in the nature of Certiorari seeking interference with an order passed by the first respondent in Refusal No.RFL/Paramakudi/20/2022, dated 30.08.2022.

4.Heard Mr.R.Murali, learned Counsel for Mr.B.Ponnupandi, learned Counsel for the petitioner, Mr.M.Prakash, learned Additional



W.P.(MD)No.701 of 2023

Government Pleader for the first respondent and Mr.J.Ashok, learned Additional Government Pleader for second to fourth respondents.

5.In the affidavit filed in support of this Writ Petition, it had been stated that the petitioner had executed a Memorandum of Deposit of Title Deeds with the Canara Bank at Paramakudi to obtain a loan. He had also taken an insurance for agricultural activities under the Pradhan Mantri Fasal Bima Yojana. According to the petitioner, the land had been purchased by the petitioner by a registered sale deed, dated 05.10.2018. It had been registered as Doc.No.3553/2018 in the office of the Sub Registrar, Paramakdi. It had been stated that patta in the name of the petitioner had also been issued under Patta No.1442. The computer patta is also in the name of the petitioner for S.Nos.67/1 and 68/1 in Kalaiyur Village.

6.The petitioner sought to register a Memorandum of Deposit of Title Deed and had presented the same, dated 29.08.2022 for registration. The first respondent had refused to register the same, since on verification in the Government website, namely, "*Tamil Nilam*", the land



W.P.(MD)No.701 of 2023

had been reflected as “water catchment area” (“*Neerpidippu*”).

WEB COPY

7.The learned Additional Government Pleader for the first respondent stated that it would only be appropriate that the petitioner to file an appeal before the District Registrar and that simultaneously, the petitioner may also approach the District Revenue Officer, Ramanathapuram, questioning such classification of patta land as “Water catchment area/*Neerpidippu*”.

8.There is every possibility that the entry in the website would be wrongly given and, if it is done so, the Competent Authority who could correct such entry, is the District Revenue Officer, Ramanathapuram. Therefore, it is directed as follows:

(1)The petitioner is directed to present a petition before the District Revenue Officer, Ramanathapuram, with respect to patta vide Patta No. 1442 relating to S.Nos.67/1 and 68/1, Kalaiyur Village, which land the petitioner had purchased on 05.10.1985 by document, which has been registered as Doc.No.3553/2018 in the office of the Sub Registrar



W.P.(MD)No.701 of 2023

Paramakudi.

WEB COPY

(2)The petitioner may also file an appeal before the District Registrar against the refusal to register the document presented by the petitioner, namely, Memorandum of Deposit of Title Deeds by the Sub Registrar, Paramakudi.

(3)If a petition is filed by the petitioner before the District Revenue Officer, Ramanathapuram, the said Officer is directed to examine the records and if it is wrongly recorded as Neerpidippu/water catchment area, correct the entry within a period three weeks from the date of receipt of such application.

(4)Thereafter, the petitioner may approach the District Registrar, Ramanathapuram and the District Registrar, Ramanathapuram, may, in accordance with the classification of the land by the District Revenue Officer, examine the issue of refusal check slip issued by the Sub Registrar, Paramakudi, and the if lands have been re-classified as patta land in the name of the petitioner, direct registration of the document in



W.P.(MD)No.701 of 2023

accordance with rules and regulations.

WEB COPY

9. With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected, connected Miscellaneous Petitions are closed.

Index : Yes / No
Internet : Yes
NCC : Yes/No

13.03.2023

cmr

To

1. The Sub Registrar,
Paramakudi, Ramanathapuram District.
2. The District Collector,
Ramanathapuram District.
3. The Sub Collector,
Paramakudi, Ramanathapuram District.



WEB COPY



W.P.(MD)No.701 of 2023

C.V.KARTHIKEYAN, J.

cmr

Order made in
W.P.(MD)No.701 of 2023

13.03.2023