



W.P.(MD)No.15195 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.11.2023

C O R A M

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.15195 of 2021

and

W.M.P.(MD)Nos.12127 and 12128 of 2021

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... Petitioner

-VS-

- 1.The Inspector General of Registration,
No.100, Santhome High Road,
Nungambakkam, Chennai.
- 2.The Commissioner of Land Administration,
Ezhilagam, Cheppakkam, Chennai.
- 3.The District Collector,
Karur District, Karur.
- 4.The Superintendent of Police,
Karur District, Karur.
- 5.The Deputy Inspector General of Registration,
Government Multi Purpose Commercial Complex,
Kajamalai, Trichy.
- 6.The Sub Collector / Revenue Divisional Officer,
Kulithalai, Karur District.
- 7.The District Registrar,
Collectorate Campus, Karur, Karur District.

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8.The Thasildar,
Taluk Office, Kulithalai, Karur District.

9.The Inspector of Police,
Land Grabbing Special Wing, Karur,
Karur District.

10.The Sub Registrar,
Sub Registrar Office, Kulithalai,
Karur District.

11.M.Rajeshwari
Village Administrative Officer,
Rajendram North, Kulithalai Taluk, Karur District.

12.N.Chandrasekar

13.S.Rangasamy ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 9 to cancel the General Power of Attorney and a Sale Deed as Document No.3544/2020, dated 18.12.2020 and Document No.3540/2020, dated 18.12.2020, respectively, registered at the 10th respondent Sub-Registrar Office, Kulithalai, Karur District, with regard to Government Poramboke Vacant Natham Land, Survey No.362/1A, New Survey No.469/1, situated at Rajendram North Village, Kuliathalai Taluk, Karur District.

For Petitioner : Mr.R.Murugappan

For R1 to R10 : Ms.D.Farjana Ghoushia
Special Government Pleader

For R12 : Mr.K.S.Kathiravan



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ORDER

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This Writ Petition has been filed for issuance of Writ of Mandamus, directing the official respondents to take action to cancel the General Power of Attorney, registered as Document No.3544 of 2020, dated 18.12.2020 and the sale deed, registered as Document No.3540 of 2020, dated 18.12.2020, which were registered on the file of the 10th respondent.

2. Heard Mr.R.Murugappan, learned counsel appearing on behalf of the petitioner, Ms.Farjana Ghoushia, learned Special Government Pleader appearing on behalf of the respondents 1 to 10 and Mr.K.S.Kathiravan, learned counsel appearing on behalf of the 12th respondent.

3. The specific case of the petitioner is that the subject property is categorized as "Government Poramboke Vacant Natham Land". There was a dispute between two parties, which resulted in initiation of Section 145 Cr.P.C. proceedings. An enquiry was conducted by the sixth respondent and an order was passed through proceedings, dated 01.03.2017, wherein the sixth respondent came to a categorical conclusion that the subject property is



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a Government Poramboke Vacant Natham Land and the same is intended to be put to use by the Government. In view of the same, the parties were directed not to interfere with the possession and enjoyment of the property. In spite of this order passed by the sixth respondent, the 10th respondent had entertained the documents presented by the 11th respondent and consequently, the Power of Attorney and the sale deed were registered. These documents are sought to be cancelled by the petitioner by giving a representation in that regard. Since the same was not considered, the present Writ Petition has been filed before this Court.

4. It is seen from the records that the sixth respondent/Sub-Collector, Kulithalai, through communication dated 01.02.2021 to the 10th respondent, has informed that the subject property is a Government Poramboke land and that the registration of the documents is illegal and accordingly, the 10th respondent was directed to submit all the relevant records before the Sub-Collector. Apart from the same, the 8th respondent had also made a communication to the respondents 7 and 10 to take immediate action to cancel the documents and to take action in accordance with law, since the subject property is a Government Poramboke land.



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5. It is clear from the above that the revenue authorities have already taken cognizance of the documents executed by the 11th respondent in favour of the respondents 12 and 13 and they have sought for action, since the property in question has been categorized as "Government Poramboke land". Hence, in the fitness of things, the seventh respondent ought to have conducted an enquiry after issuing notice to the concerned parties and should have proceeded further in accordance with law.

6. In view of the above, there shall be a direction to the seventh respondent to act upon the communication of the eighth respondent, namely, the Tahsildar, Kulithalai, dated 05.02.2021 and issue notice to all the interested parties and pass final orders strictly in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

7. This Writ Petition is disposed of with the above directions. No costs. Consequently, connected Miscellaneous Petitions are closed.

NCC : Yes/No
Index : Yes/No
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N.ANAND VENKATESH, J.

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