



W.P(MD)No.13 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.03.2023

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD).No.13 of 2022

A.Thangavel

... Petitioner

Vs

1. The Inspector of Registration,
No.100, Santhome High Road,
Pattinapakkam, Chennai - 600028.
2. The District Registrar,
District Registration Office,
Velunactchiyar Complex,
Thandicombu Road, Dindigul.
3. The Sub Registrar,
Joint I Sub Registrar Office , Dindigul.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd respondent to rectify the mistake made in Town Survey No.344/1 part, Pillaiyar Palayam Village, Near RM Colony , Dindigul Ward 2, wrongly entered as TS.No.544/1 part in document No.1123/2008, dated 05.05.2008 registered in the 3rd respondent office, based on the petitioner's representation, dated 08.12.2021.



WEB COPY



W.P(MD)No.13 of 2022

For Petitioner : Mr.T.Ramasamy
For R1 to R3 : Mr.C.Satheesh
Government Advocate

ORDER

The Writ Petition has been filed seeking rectification of a mistake made in Town Survey No.344/Part 1, Pillaiyar Palayam Village, Near RM Colony, Dindigul Ward 2, which was wrongly written as TS.No.544/ Part 1, in Doc.No.1123/2008, registered on 05.05.2008, in the office of third respondent/Sub Registrar, Joint I Registrar Office, Dindigul. The petitioner had given a representation on 08.12.2021 and had filed present Writ Petition seeking mandamus.

2.It is pointed by the learned Government Advocate, on behalf of the respondents that the property originally belonged to the Tamil Nadu Housing Board. The Housing Board had allotted the property to S.Palaniammal, wife of C.Sakthivel, residing at D.No.328, R.M.Colony, Dindigul Town. In that particular document they had mentioned the T.S.No.as T.S.No.544/Part I. The petitioner had subsequently purchased the said



W.P(MD)No.13 of 2022

property from S.Palaniammal, vide document, dated 05.05.2008 and registered as Doc.No.1123/2008, in the office of the third respondent/Sub Registrar, Joint I Registrar Office, Dindigul.

3.Later, it came to the knowledge of the petitioner that the correct Town Survey Number is 344/Part I. In the document, which was executed by the Housing Board in favour of S.Palaniammal, the Housing Board made necessary correction from T.S.No.544/Part I to T.S.No.344/Part I.

4.The petitioner now wants a similar correction in the document, by which he purchased the property on 05.05.2008 from S.Palaniammal. This is a document between two private individuals. If at all the petitioner seeks any correction, the appropriate forum is only the Civil Forum. It is seen that the Housing Board had rectified the Town Survey Number in the document on 11.03.2017. Thereafter, the petitioner needs correction in the document executed by S.Palaniammal.

5.In view of these facts, it is appropriate that a civil suit is filed seeking rectification, since it is a mistake apparent on the face of record and



W.P(MD)No.13 of 2022

since the Housing Board has corrected the same, the limitation aspect cannot be put against the petitioner. The petitioner had purchased the property for valuable consideration and is also in possession.

6.With the above said liberty to the petitioner, this Writ Petition stands disposed of. No costs.

07.03.2023

NCS : Yes/No
Index : Yes / No
Internet: Yes/ No

PNM

To

1. The Inspector of Registration,
No.100, Santhome High Road,
Pattinapakkam, Chennai - 600028.
2. The District Registrar,
District Registration Office,
Velunactchiyar Complex,
Thandicombu Road, Dindigul.
3. The Sub Registrar,
Joint I Sub Registrar Office , Dindigul.



WEB COPY



W.P(MD)No.13 of 2022

C.V.KARTHIKEYAN, J.

PNM

ORDER IN
W.P(MD).No.13 of 2022

07.03.2023