WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.12.2023

CORAM

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

WP(MD)No.27835 of 2023

Gautami Tadimalla ... Petitioner

Vs.

1.The District Collector,
Ramanathapuram District.

2.The Tahsildar,
Muthukulathur Taluk,
Muthukulathur,
Ramanathapuram District.

3.The District Registrar,
Ramanathapuram District,
Ramanathapuram.

4.The Sub Registrar,
Muthukulathur Sub Registrar Office,
Muthukulathur, Ramanathapuram District.

5.The Recovery Officer,
Securities and Exchange Board of India,
Chennai. ... Respondents

(R5 was suo motu impleaded
vide order dated 29.11.2023)

https://www.mhc.tn.gov.in/judis

WEB COPY

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 4th respondent to accept the registration of the Sale Deed dated 08.11.2023 executed by the petitioner in favour of Selvarasu S/o Govindasami power agent of Rajan Murali in respect of the Punja Lands in Patta No.1548 in Survey No.71/3A an extent of 0-17.50 Hectares, Survey No.71/3B an extent of 0-16.00 Hectares, Survey No.71/3C an extent of 0-28.50 Hectares, Survey No.71/3D an extent of 0-16.50 Hectares, Survey No.71/5 an extent of 0-29.00 Hectares and in Patta No. 1549 in Survey No.110/10B an extent of 0-26.00 Hectares, Survey No.110/1B an extent of 0-41.50 Hectares, Survey No.110/5A an extent of 0-16.50 Hectares, Survey No. 110/5B an extent of 0-16.50 Hectares, Survey No.110/5C an extent of 0-13.00 Hectares, Survey No.70/4 an extent of 0-55.00 Hectares, and in Patta No.1550 in Survey No.110/10A an extent of 0-50.50 Hectares, Survey No.110/2 an extent of 0-50.00 Hectares, Survey No.110/3 an extent of 0-46.50 Hectares, Survey No.110/4 an extent of 0-48.00 Hectares, Survey No.110/6 an extent of 0-18.00 Hectares, Survey No.110/8 an extent of 0-28.00 Hectares, Survey No. 110/9 an extent of 0-24.00 Hectares and in Patta No.1551, Survey No. 108/1A an extent of 0-40.50 Hectares, Survey No.110/7 an extent of 0-16.00 Hectares, Survey No.87/1 an extent of 1-24.00 Hectares, Survey No.87/2B an extent of 0-59.50 Hectares, Survey No.87/4 an extent of 0-21.50 Hectares and in Patta No. 1552 in Survey No.110/11B an extent of 0-24.00 Hectares, Survey No.69/3 an extent of 0-69.00 Hectares, Survey No.69/4A an extent of 0-39.50 Hectares, Survey No.69/4B an extent of 0-35.00 Hectares, Survey No.69/5 an extent of 0-52.50 Hectares, Survey No.69/6 an extent of 0-48.50 Hectares, Survey No. 69/7 an extent of 0-7.50 Hectares, Survey No.69/8B an extent of 0-35.50 Hectares, Survey No.70/2 an extent of 0-55.00 Hectares, Survey No.70/3A an extent of 0-46.00 Hectares, Survey No.70/3B an extent of 0- 21.00 Hectares,

https://www.mhc.tn.gov.in/judis

WEB COPY

Survey No.70/3C an extent of 0-18.50 Hectares, Survey No.71/1 an extent of 0.97.00 Hectares, Survey No.71/2B an extent of 0-45.00 Hectares, Survey No. 71/6 an extent of 0-27.00 Hectares and in Patta No. 1746 in Survey No.69/1 an extent of 2-24.50 Hectares, Survey No.87/3 an extent of 0-64.00 Hectares and in Patta No. 1936, Survey No.68/5A an extent of 0-55.50 Hectares in Suvathan Village, Muthukulathur Taluk, Ramanathapuram District based on the revenue pattas for the agricultural punja lands for agricultural purpose as per the Online Application No.TP/165190173/2023 dated 20.11.2023 within the period stipulated by this Court and pass such further or other orders as this Court may deem fit and proper in the above circumstances and thus render justice.

For Petitioner : Mr.A.Haja Mohideen

For Respondents : Mr.K.Balasubramani,
Special Government Pleader for R1 to R4

Mr.C.Prasanna Venkatesh for R5

ORDER

Heard both sides.

2.The petitioner wants to alienate the petition mentioned properties. The petitioner's allegation is that the registering authority was not accepting the document presented for registration.

https://www.mhc.tn.gov.in/judis

WEB COPY

3.When the matter was taken up for hearing, the learned Special Government Pleader appearing for the respondents 1 to 4 submitted that the petitioner had not at all presented any document for registration. He also added that since the lands in question have been classified as water spread area, registration cannot be permitted. More than anything else, his specific contention is that the properties in question have been attached under the orders of SEBI.

4.The learned counsel for the petitioner submitted that the petitioner will present the document for registration before the fourth respondent. As and when such document is presented, the registering authority may receive the same. But the registration formalities shall not be taken up. This is because, even according to the petitioner, the properties have been attached. The learned counsel for the petitioner states that she submitted a representation before the fifth respondent dated 15.11.2023. But proof of service has not been furnished before this Court. I therefore permit the petitioner to submit a fresh representation. The fifth respondent is directed to take a call on the representation of the petitioner. I make it clear that I have not given any positive direction as to the manner in which the representation should be disposed of. All that I am directing is that the fifth respondent will

https://www.mhc.tn.gov.in/judis

WEB COPY

decide the representation of the petitioner as per law within a period of twelve weeks thereafter. The fifth respondent is called upon to grant personal hearing to the petitioner. The decision of the fifth respondent shall be duly communicated to the petitioner as well as to the fourth respondent. The completion of the registration formalities will abide by the orders to be passed by the fifth respondent.

5.This writ petition is disposed of accordingly. No costs.

21.12.2023

Index : Yes / No
Internet : Yes / No
Skm

To

1.The District Collector, Ramanathapuram District.

2.The Tahsildar, Muthukulathur Taluk,
Muthukulathur, Ramanathapuram District.

3.The District Registrar, Ramanathapuram District, Ramanathapuram.

4.The Sub Registrar, Muthukulathur Sub Registrar Office,
Muthukulathur, Ramanathapuram District.

5.The Recovery Officer, Securities and Exchange Board of India, Chennai.

https://www.mhc.tn.gov.in/judis

WEB COPY

G.R.SWAMINATHAN, J.

SKM

WP(MD)No.27835 of 2023

21.12.2023