



W.P.No.638 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2024

CORAM :

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P.No.638 of 2024

A.Abusali

... Petitioner

Versus

1.The District Collector,
Revenue Department,
Puducherry.

2.The Deputy Collector (North),
Revenue Department,
Puducherry.

3.The District Registrar,
Office of the District Registrar,
Puducherry.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the 2nd respondent to consider the petitioner's representation dated 19.06.2022 and consequently direct the 3rd respondent to execute the rectification deed in respect of his property by virtue of sale deed dated 30.01.2014 vide Doc.No.358 of 2014 within the time stipulated.

For Petitioner : M/s. R. Kalaiyarasi

For Respondents : Mr. Ramaswamy Meyyappan
Government Advocate (Puducherry)

ORDER



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WEB COPY This Writ Petition is filed for a simple writ of mandamus directing the second respondent to consider the petitioner's representation dated 19.06.2022 and consequently direct the third respondent to execute the rectification deed in respect of his property, by virtue of the Sale Deed dated 30.01.2014, vide Doc.No.358 of 2014 within the time stipulated.

2. The case of the petitioner is that he purchased the a plot from one Mr.P.Selvam, under registered Sale Deed dated 30.01.2014, vide Doc.No.348 of 2014, comprised in R.S.No.148/1, T.S.No.53/2 Ward-I, Block No.13, Plot No.30 & 31, measuring an extent of 1370 sq.ft., situated at 1st Cross Thamarai Street, Nabigal Nayagam Nagar, Mullai Nagar Extension, Pudhupalayam Revneue Village, Puducherry Municipality, Puducherry and subsequently, he enjoyed the property and also he applied the petition to the Puducherry Planning Authority, Puducherry for permission to construct a house in the said property, after obtaining permission from the appropriate authorities. Later on, he came to know that there was a mistake that had occurred in Survey number 53/2 instead of S.No.53/1A/1A/5. For rectifying the same, the petitioner



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approached the vendor. Even the vendor is also ready to rectify the same.

Hence, the petitioner gave a representation dated 19.06.2022 before the second respondent and he also considered the same and sent a letter by stating the facts. Therefore, the petitioner approached the third respondent to execute the rectification deed, but, he has stated that he has no authority to execute the same without proper directions and the petitioner was instructed to get order from the Revenue Authorities or obtain an order from the Court. Hence, the Writ Petition.

3. Heard the learned counsel for the petitioner and the learned Government Advocate (Puducherry) appearing for the respondents and perused the materials available on record.

4. Though the petitioner filed a writ of mandamus to consider the representation, but the representation is otherwise. The issue involved is between two individuals and there is no record to show that both the petitioner as well as the vendor were also ready to execute the rectification deed and they presented the same before the third respondent, and however, the third respondent refused to register the same. Under such



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circumstances, this Court is of the considered view that there are no merits in the writ petition.

5. Therefore, the Writ Petition is dismissed. No costs. However, the petitioner is at liberty to work out his remedy before the appropriate forum in a manner known to law.

11.01.2024

Index : yes/no
Speaking order : yes/no
Neutral Case Citation : yes/no

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To:

- 1.The District Collector,
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Puducherry.
- 2.The Deputy Collector (North),
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- 3.The District Registrar,
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P. VELMURUGAN, J.



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