



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2024

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. No.4068 of 2018

P. Krishnamoorthy S/o. Late Ponnusamy

... Petitioner

Vs.

1. The Government of Tamil Nadu,
Department of Revenue,
represented by its Secretary,
Fort St. George, Chennai.
2. The District Collector,
Krishnagiri District.
3. The Revenue Divisional Officer,
Krishnagiri, Krishnagiri District.
4. The Sub-Registrar,
Registrar Office, Bargur,
Krishnagiri District.
5. The Village Administrative Officer,
Orappam, Bargur Taluk,
Krishnagiri.
6. R. Govindasamy S/o. Rama Gounder
7. Thenmozhi D/o. Kuzhanthaisamy
8. R. Sathya W/o. Rajamani

..... Respondents



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Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 1 to 5, especially the 4th respondent to change the name of owner as Mrs. Chinnakannu W/o. Mr. Ponnusamy in the official records including the encumbrance and remove the name of Mrs. Thenmozhi and R. Sathya in the encumbrance and issue such further or other orders or directions.

For Petitioner : Mr. K. Sudalaikannu

For Respondents : Mr. G. Ameedius
Government Advocate
[for R1 to R5]

No appearance [for R6]

Mr. G. Vigneshwar,
for Mr. V. Nicholas [for R7 & R8]

ORDER

The relief sought for in the present Writ petition is to direct the respondents especially the 4th respondent to change the name of owner as Mrs. Chinnakannu W/o. Mr. Ponnusamy in the official records including the encumbrance and remove the name of Mrs. Thenmozhi and R. Sathya in the Encumbrance Certificate.



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2. The relief as such sought for in the present Writ proceedings are absolutely misconceived. Property rights cannot be decided by the Sub-Registrar nor entries as such claimed by the petitioner can be made in the official records. If at all, the property rights of the petitioner has been denied, then the petitioner has to approach the competent Civil Court of law for the purpose of establishing his civil rights. Therefore, the relief sought for in the present Writ petition is not maintainable and the petitioner is at liberty to approach the competent Court of law for the purpose of establishing his property rights or otherwise.

3. With these observations, this Writ petition stands dismissed. No order as to costs.

09.01.2024

Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no
mjs



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To

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Krishnagiri.

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S.M.SUBRAMANIAM, J.

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