



W.P. No.7393 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.7393 of 2024

Valliyammal

... Petitioner

Vs.

1. The District Registrar
Coimbatore - 641018

2. The Sub-Registrar
Pollachi - 642001

3. The Tahsildar, Pollachi

4. Palanisamy

5. Subathal

6. Ramasamy

7. Saravanakumar

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 2nd respondent to rectify the name as Kandhasamy Son Natarajan instead of Arumugagounder Son Natarajan in Sale Deed vide Doc.No.1602/1983, dated 15.07.1983 on the file of Sub-Registrar Office, Pollachi/2nd respondent by considering the petitioner representation dated 11.01.2024 within time limit stipulated by this Court.



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For Petitioner : Mr.S.Kousik
For R1 to R3 : Mr.R.Neethi Perumal
Government Advocate

ORDER

This Writ Petition is filed seeking to issue a Writ of Mandamus directing the 2nd respondent to rectify the name as Kandhasamy S/o Natarajan instead of Arumugagounder S/o Natarajan in the Sale Deed vide Doc.No.1602/1983, dated 15.07.1983 on the file of Sub-Registrar Office, Pollachi/2nd respondent by considering the petitioner's representation dated 11.01.2024, within the time limit as may be fixed by this Court.

2. It is the grievance of the petitioner that the petitioner's husband namely Natarajan S/o.Late.Kandhasamy had purchased the subject property from on Karuppathal vide registered sale deed in Doc.No.1602/1983 dated 15.07.1983. On 26.02.2018, the petitioner's husband died. Thereafter, the petitioner made an application before the 3rd respondent seeking change of name in the Patta during which, she came to known that in the said sale deed, the purchaser name is shown as Natarajan



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S/o.Arumugagounder instead of Natarajan S/o.Kandhansamy. Therefore,

the petitioner made a representation to the 2nd respondent to rectify the error. However, he failed to consider the same. Hence, the present Writ Petition is filed.

3. Mr.R.Neethi Perumal, learned Government Advocate takes notice for the respondents 1 to 3. Since no adverse order is being passed against the respondents 4 to 7, notice to the respondents 4 to 7 is dispensed with.

4. It is settled law that any mistake crept in the document is a contractual liability/obligation between two private individuals. If any mistake is occurred in the document inadvertently, the parties have to execute a rectification deed and the same has to be registered before the Registrar. In case the one of the parties is no more, the legal heirs of the deceased shall file a document for rectification and instead of doing so, the petitioner has simply made a representation in the absence of other party whereas, unilateral rectification is not permissible. Under these circumstances, the petitioner is not entitled to the relief.



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5. Accordingly, this Writ Petition is dismissed at the admission stage

itself. No costs.

6. However, the petitioner is at liberty to work out her remedy in the

manner known to law.

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Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No



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To

1. The District Registrar
Coimbatore - 641018

2. The Sub-Registrar
Pollachi - 642001

3. The Tahsildar
Pollachi



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P.VELMURUGAN. J.

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