



WP.No.10902 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.06.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.10902 of 2024
and W.M.P.No.12011 of 2024

S.M.Siva

.. Petitioner

Versus

1.The Inspector General of Registration
No.100, Santhome High Road
Chennai – 600 028

2.The District Collector
Namakkal
Namakkal District

3.The District Revenue Officer
1st Floor, Collectorate
Tiruchengode Road
Namakkal – 637 003

4.The District Registrar
Collectorate Campus Back side
Nallipalayam, Namakkal District

5.The Sub Registrar
Theppakulam Street
Tiruchengode, Namakkal District – 637 211

6.The Executive Officer
Kuppichipalayam Panchayat
Namakkal District



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7.G.Sengotuvel
8.P.Krishnamoorthy
9.S.Mohansundaram
10.S.Sakthivel
11.M.Sulochana
12.K.Mohan
13.M.Kokilavani
14.R.Prakasam
15.R.Eashwaramoorthy

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of declaration, declaring the documents No. 639 of 2022, 2960 of 2022, 6956 of 2022 and 7802 of 2022 registered on the file of the 5th respondent pertaining to S.Nos. 257/1B, 256/18E, 18D, 16, 15, 12A, 14, 13 and 254/4E, 3B, 2B, 1B, 5B, 6B, 7B, 8B which conveys the road portion in the layout as fraudulent and illegal and consequently struck off the same.

For Petitioner : Mr.Shivakumar
for Mr.S.P.Harikrishnan

For Respondent : Mr.P.Anandha Kumar for R1,4 & 5
Government Advocate
Mr.P.Sathish for R2 & R3
Additional Government Pleader
Mrs.V.Yamunadevi for R6
Special Government Pleader
No appearance for R9
Mr.R.Venkatraman for R7, R8, R10 to R15

ORDER

This writ petition has been filed for a direction to cancel the documents.

2. It is the case of the petitioner that the place earmarked as road has

been sold to various persons. Whereas, it is the contention of the learned



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Additional Government Pleader that the areas are not roads and disputed the facts.

3. Heard both sides and perused the materials placed on record. By consent of both parties, this writ petition is taken up for final disposal.

4. Whether the place is earmarked as road or not is a matter of evidence which requires complete proof. Therefore, merely on the basis of affidavit and submissions, these matters cannot be gone into. If at all the petitioner has to establish these facts, it is well open to the petitioner to approach appropriate civil forum. In the event, it is established that roads have been sold, it is well open to the Civil Court to grant a decree to nullify all the documents.

5. In view of the above, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

25.06.2024

dhk
Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No



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N. SATHISH KUMAR, J.

dhk

To,

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