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W.P.No.31232 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2024

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THE HONOURABLE MR. JUSTICE S. SOUNTHAR

W.P No.31232 of 2024

Vijayaraj

...Petitioner

Vs.

1. The Inspector General of Registration,
Registration Department,
Santhome Road, Chennai.
2. The District Registrar,
Registration Department,
Coimbatore District.
3. The Sub Registrar,
Registration Department,
Annur, Coimbatore.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents herein to rectify the mistake in the Index in Book 1 and to include the details in the Encumbrance Certificate in respect of the Sale deed dated 26.03.1984 and registered as Doc. No.562/1984 on the file of third respondent herein by considering the petitioner's Index Date Correction Petition dated 07.07.2022 and the representation dated 27.02.2024 within the stipulated period.



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For Petitioner : Mr.Vijayaraj

For Respondents : Mr.P.Harish
Government Advocate

ORDER

The petitioner herein seeks a direction to the respondents to rectify the mistake in the Index in Book 1 and to include in the Encumbrance Certificate the details regarding the Sale deed dated 26.03.1984 registered as Doc. No.562/1984 on the file of third respondent, by considering his Index Date Correction Petition dated 07.07.2022.

2. By consent of both the learned counsel appearing for the petitioner as well as respondents, this writ petition is disposed of at the admission stage itself.

3. It is the case of the petitioner that the petitioner's father purchased a land measuring 1.35 acres in survey no.355 and the right in the well situated in survey No.356, Kaduvettipalayam Village, Palladam Taluk, (New Suler Taluk), Coimbatore District under registered sale deed dated 26.03.1984. When the petitioner applied for Encumbrance certificate it came to his



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knowledge that in the above mentioned sale deed, petitioner's father's name was not reflected in the Encumbrance certificate for the subject property and the sale deed wrongly indexed as Logiammal and Ramakannan. Therefore, the petitioner submitted on-line data correction petition on 07.07.2022 seeking inclusion of details of the above mentioned sale deed in the Index in Book No.1 and to include the details in the Encumbrance Certificate and the same has not been considered till date. Therefore, this petitioner is before this Court.

4. Mr.P.Harish, learned Government Advocate, who takes notice for the respondents based on the written instructions of the third respondent in proceedings dated 25.10.2024 submits that the competent authority to make correction in the Index is the second respondent and the application of the petitioner has been approved by the third respondent and forwarded to the second respondent for further action. The said statement made by the learned Government Advocate is recorded.

5. In view of the above submission made by the learned Government Advocate, without going into the merits of the claim made by the petitioner,



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this Court is inclined to issue a direction to the second respondent to consider the on-line Index Date Correction Petition of the petitioner dated 07.07.2022 and pass final orders, after issuing notice to the petitioner and other interested parties, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of.

No costs.

25.10.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
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To

1. The Inspector General of Registration,
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Santhome Road, Chennai.
2. The District Registrar,
Registration Department,
Coimbatore District.
3. The Sub Registrar,
Registration Department,
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S. SOUNTHAR, J.

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