



W.P.No.32097 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2024

CORAM :
THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.32097 of 2019

K.S.Selvakumar

... Petitioner

Vs.

1.The District Collector,
Tiruppur District,
Tiruppur.

2.The Inspector General of Registration,
Office of the Inspector General of Registration,
Santhome,
Chennai.

3.The Deputy Inspector General of Registration,
Office of the Deputy Inspector General of Registration,
Coimbatore.

4.The District Registrar,
District Registrar Office,
Tiruppur.

5.The Sub Registrar,
Sub Registrar Office,
Dharapuram.

... Respondents

Writ Petition filed under Article 226 of Constitution of India, praying
for issuance of Writ of Mandamus directing the respondents 1 to 5 to consider



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the representation of the petitioner dated 19.08.2019 and consequently direct the 5th respondent to field inspect the land in R.F.No.912/1 and 912/2.

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For Petitioner : Mr.M.Guruprasad

For Respondent 1 : Mr.K.Surendran,
Additional Government Pleader

For Respondents 2 to 5 : Mr.P.Anandakumar,
Government Advocate

ORDER

The relief sought by the petitioner in this writ petition is to direct the respondents 1 to 5 to consider the representation of the petitioner dated 19.08.2019 and consequently direct the 5th respondent to field inspect the land in R.F.No.912/1 and 912/2.

2. The case of the petitioner is that the subject matter property is an agricultural land and it is used for the said purpose only. Instead of considering it as agricultural land, the respondents have wrongly valued the said property as residential land and fixed the value as Rs.87/- per square foot. The Village Administrative Officer, Kolathupalayam Village has also gave a certificate that the subject matter property is an agricultural land. Thus, the



petitioner has sent a representation dated 19.08.2019 to the respondents to make necessary changes in the records. On receipt of the same, the fourth respondent issued a direction to the fifth respondent vide proceedings in Na.Ka.No.4702/A3/2019 dated 26.08.2019 to do filed inspection to ascertain the land's type. However, no inspection was conducted by the respondents. Hence, the petitioner has come forward with the present writ petition.

3. Learned counsel appearing for respondents 2 to 5 has filed a counter affidavit dated 16.08.2022 on behalf of the fifth respondent. For better appreciation the relevant portion of the said counter is extracted hereunder:

“5. The petitioner herein identified the lands in question in the presence of this respondent and this respondent found that cholam crop was found in the lands in question. This respondent requested the petitioner herein, to produce the extract of Chitta, Adangal, FMB to assess the agricultural value with the concurrence of the Taluk Committee. After assessment the reference will be made to the District Committee. The District Committee headed by the first respondent will send its recommendation to the Central Valuation Committee which is enjoined with the powers under section 47-AA of the Stamp Act, 1899 to reduce the value against the value found in the guideline register. Hence, action is being taken on the representation of the petitioner and the same is under process.”



4. When the matter was taken up for hearing, learned Additional Government Pleader appearing for the first respondent submitted a written instruction of the first respondent vide Ref.No.19148/2019/F3 dated 14.06.2024. For better appreciation and understanding the relevant paragraph of the said written instruction is extracted hereunder:

“4) In this regard, the District Level Valuation Committee headed by the District Collector, Tiruppur have scrupulously scrutinised the recommendation given by the District Registrar, Tiruppur and have approved to change the Classification type from Residential Type Classification (Rs.130/- Per Sq.Feet & Rs.1400/- Sq.Meter) to Agricultural Type Classification (Rs.13,00,000/- Per Acre & Rs.32,12,500/- Per Hectare). Subsequently, the District Level Valuation Committee's recommendation has been sent to State Level Valuation Committee and pending with Inspector General, Registration Department, Chennai.”

5. Learned Additional Government Pleader appearing for the first respondent further submitted that four months time is required to pass orders on the recommendation of the District Level Valuation Committee by the State Level Valuation Committee.



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6. In view of the aforesaid written instruction of the first respondent vide Ref.No.19148/2019/F3 dated 14.06.2024, this Court is inclined to accept the submissions made by the learned Additional Government Pleader appearing for the first respondent. Consequently, this Court directs the State Level Valuation Committee to pass orders on the recommendation of the District Level Valuation Committee, within a period of four months from the date of receipt of a copy of this order.

7. This writ petition is disposed of with the above observation and direction. No costs.

19.06.2024

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Index : Yes/No

Speaking Order : Yes/No



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J.SATHYA NARAYANA PRASAD,J.

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