



WEB COPY



WP.No.36971 of 2024

In the High Court of Judicature at Madras

Dated : 18.12.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.36971 of 2024

P.Nagarajan

Vs

...Petitioner

1.The Inspector General of
Registration, office of the
Inspector General of
Registration, No.100,
Santhome High Road,
Santhome, Chennai-28.

2.The District Registrar,
53/A, Perumal Koil Street,
Near ICICI Bank,
Murugambakkam,
Tindivanam-1.

3.The Sub-Registrar, Office
of the Sub-Registrar,
Marakanam.

4.M/s.Manju Foundations
Pvt. Ltd., Chennai-83.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representations dated 25.10.2023 and 19.2.2024, conduct the enquiry and modify the guideline value of the petitioner's land from house site plot to agricultural land comprised in Survey Nos.195/4A, 4B, 4C & 4D measuring 1.17 Acres and Survey



WP.No.36971 of 2024

No.211/1B1A measuring 0.53 Acres, in all total measuring about 1.70 Acres in Marakanam North Village, Marakanam Taluk, Villupuram District within the time as may be fixed by this Court.

For Petitioner : Mr.M.Muthappan
For R1 to R3 : Mr.M.Shahjahan, SGP

ORDER

Seeking a direction to the respondents to consider his representations dated 25.10.2023 and 19.2.2024 to conduct an inquiry and modify the guideline value of the petitioner's lands from house site plots to agricultural lands comprised in Survey Nos.195/4A, 4B, 4C & 4D measuring 1.17 Acres and Survey No.211/1B1A measuring 0.53 Acres, totally measuring about 1.70 Acres in Marakanam North Village, Marakanam Taluk, Villupuram District, the petitioner is before this Court.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader accepting notice for respondents 1 to 3.

3. The case of the petitioner is that he and his brother are the owners of the said lands. They purchased the said lands in the year 1990 as agricultural lands. During the year 2015, they entered into an



WP.No.36971 of 2024

agreement of sale with the fourth respondent. Ultimately, it was not honoured and no sale deed was executed in favour of them. However, the fourth respondent proceeded to form a layout of larger extent measuring 37 acres comprised in various survey numbers in Marakanam North Village. Several lands were included in the layout formed by the fourth respondent by giving different names while forming the unapproved layout in the restricted Coastal Regulation Zone area. Further, the fourth respondent unlawfully included the subject lands also.

4. The fourth respondent has not acquired any title over the subject lands nor has been given the authority to form a layout by including the subject lands. Since the petitioner and his brother, who are the owners of the subject properties continued to retain the same as agricultural lands and as they were unable to deal with the subject properties, the petitioner made a representation dated 25.10.2023 to respondents 2 and 3 conduct an inquiry and modify the guideline value. Despite receipt of the said representation, no action has been taken. The petitioner also sent a representation dated 19.12.2023 to the first respondent. In turn, vide proceedings dated 18.3.2024, the first respondent directed the second respondent to conduct an inquiry and take further action.



WP.No.36971 of 2024

5. It is seen that the petitioner made an application to the Real Estate Regulatory Authority, Chennai and vide order dated 04.4.2024 in C.No.1 of 2024, obtained an interim order of injunction restraining the fourth respondent from conveying any part of the subject lands. On account of the formation of the unapproved layout, the guideline value of the subject lands was modified from agricultural lands into house sites. Consequently, the guideline value had gone up. Once again, the petitioner made a representation dated 30.4.2024 to respondents 2 and 3 seeking to inquire into the matter and modify the guideline value of the subject lands from house site plots to agricultural lands and to prevent further registration of the subject lands by the fourth respondent.

6. Considering the facts and circumstances of the case, the writ petition is allowed and the second respondent is directed to consider the said representations of the petitioner dated 25.10.2023 and 30.4.2024 and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order. It is needless to point out that the petitioner shall be given an opportunity of personal hearing and further opportunity to produce all the relevant documents before passing final orders. No costs.

18.12.2024



WEB COPY



WP.No.36971 of 2024

P.T.ASHA,J

RS

To

- 1.The Inspector General of
Registration, office of the
Inspector General of
Registration, No.100,
Santhome High Road,
Santhome, Chennai-28.
- 2.The District Registrar,
53/A, Perumal Koil Street,
Near ICICI Bank,
Murugambakkam,
Tindivanam-1.
- 3.The Sub-Registrar, Office
of the Sub-Registrar,
Marakanam.

WP.No.36971 of 2024

18.12.2024