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W.P.(MD)NO.4700 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.06.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.4700 of 2024

Kannan

... Petitioner

Vs.

1. The Inspector General of Registration,
No.100, Santhome Road,
Pattinapakkam, Chennai – 28.

2. The District Registrar,
Tenkasi District, Tenkasi.

3. The Sub Registrar,
Pavoorchatiram Registrar Office,
Tenkasi, Virudhunagar.

4. The Deputy Tahsildar,
Alankulam, Tenkasi District.

5. The Village Administrative Officer,
Keelapavoor Bit-1,
Alankulam, Tenkasi District.

6. Murugeshkumar

7. The District Collector,
Tenkasi District.

(R-7 is *suo motu* impleaded vide order dated 29.02.2024)

... Respondents

Prayer: Writ petition filed under Article 226 of the
Constitution of India, to issue a Writ of Mandamus, directing the



respondents 1 and 2 to conduct an enquiry and to pass specific orders for making entry in the relevant indexes in the document No.3011/2018 and the same note to be made as a foot note in the relevant copies and consequently to take action against respondents.

For Petitioner : Mr.K.Navaneetharaja
For R-1 to R-5 : Mrs.D.Farjana Ghoushia,
Special Government Pleader.
For R-7 : Mr.M.Lingadurai,
Special Government Pleader.
* * *

ORDER

Heard both sides.

2. The Court notice issued to the sixth respondent was returned with an endorsement “left”. It is as good as service.

3. The petitioner's grievance is that based on the certificate of title and possession issued by respondents 4 and 5, the sixth respondent obtained the settlement deed dated 04.07.2018 executed in his favour. It was registered as document No.3011 of 2018 by the third respondent. In these circumstances, to have the document declaring as fraudulent, the present writ petition came to be filed.



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4. I *suo motu* impleaded the District Collector, Tenkasi to make a statement if the revenue authorities are authorised to issue such certificate.

5. The District Collector, Tenkasi has instructed the learned Special Government Pleader in writing that the revenue authorities can take extracts from the revenue records and issue the same. They do not have any independent power or authority to issue certificate certifying one's title or possession. In other words, the revenue authorities cannot go beyond what is there in the revenue record. In this case, it is too obvious that except the certificate issued by the respondents 4 and 5, there is no other revenue record in favour of the sixth respondent. From the written instructions given by the seventh respondent, I can easily conclude that the certificate dated 28.06.2018 issued by the respondents 4 and 5 in favour of Ramar, S/o.Ramaiah who is the father of the sixth respondent is without the authority of the law.

6. I direct the second respondent to hold an enquiry into the petitioner's representation and pass suitable order on merits and in



accordance with law. This exercise shall be concluded by the second respondent within a period of three months from the date of receipt of a copy of this order. This writ petition stands disposed of accordingly. No costs.

14.06.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
PMU

To:

1. The Inspector General of Registration,
No.100, Santhome Road,
Pattinapakkam, Chennai – 28.
2. The District Registrar,
Tenkasi District, Tenkasi.
3. The Sub Registrar,
Pavoorchatiram Registrar Office,
Tenkasi, Virudhunagar.
4. The Deputy Tahsildar,
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5. The Village Administrative Officer,
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7. The District Collector,
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G.R.SWAMINATHAN,J.

PMU

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