



W.P.(MD)No.12781 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 09.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.12781 of 2023

M.K.Kathiresan

... Petitioner

Vs.

1.The Inspector General of Registration,
Registration Department, Chennai.

2.The District Registrar,
Madurai District, Madurai.

3.The Sub Registrar,
Karungalakudi Sub Registrar Office,
Melur Taluk, Madurai District.

4.Seetharaman

5.Ayyapparaja

6.The Branch Manager,
Tamilnad Mercantile Bank,
Melur Branch, Melur,
Madurai District.

.... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the 2nd respondent to



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consider and pass suitable orders in accordance with law on the petitioner's representation dated 13.04.2023 within a time frame as fixed by this Court.

For Petitioner : Mr.B.S.Meltiue
For Respondents : Mr.M.Siddharthan,
Addl. Govt. Pleader for R1 to R3
Ms.J.Balameenakshi for R4 & R5
Mr.R.Iyappan for R6

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus, directing the 2nd respondent to consider and pass suitable orders in accordance with law on the petitioner's representation dated 13.04.2023 within a time frame as fixed by this Court.

2. It is the case of the petitioner that the petitioner has purchased 35 cents of land in S.No.319/5C1 (Joint Patta No.3305) from the 4th respondent and the same was registered on 21.07.2014, vide document No.1413/2024. However, while mutating the revenue records, the petitioner came to know that the 4th respondent has altered the survey number in the registered sale deed as Survey No. 293/7D13 instead of 319/5C1 with malafide intention to cheat the petitioner. The



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petitioner approached the 4th respondent to rectify the wrong survey number in the sale deed, but the 4th respondent has not taken any steps to rectify the same. Hence, the petitioner has made a representation on 13.04.2023 to the 2nd respondent to take action to correct the wrong survey number. Since the same was not considered, the petitioner has filed this Writ Petition.

3. The learned counsel appearing for the respondents 4 and 5 submitted that the 4th respondent has sold the land in Survey No.293/7D13 only, not the Survey No.319/5C1 as claimed by the petitioner.

4. Heard the learned counsel appearing for the petitioner, the learned Additional Government Pleader appearing for the respondents 1 to 3, the learned counsel appearing for the respondents 4 and 5 and the learned counsel appearing for the 6th respondent and perused the materials available on record.

5. On a perusal of the materials, it is seen that this Writ Petition is nothing but misconceived. The remedy of the petitioner is elsewhere and not before the Sub-Registrar. When a document has already been registered, the Registering authority has no right whatsoever to make any rectification for the



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survey number. Unless both the parties submit a rectification deed, the entries relating to the identity of the property cannot be changed by the authorities after registration. Now, the 4th respondent has also disputed the contention of the petitioner. In such view of the matter, it is for the petitioner to work out his remedy in the manner known to law.

6. With the above observations, this Writ Petition is dismissed. There shall be no order as to costs.

09.09.2024

NCC : Yes/No
Index : Yes/No
vsm



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N.SATHISH KUMAR, J.

vsm

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