



W.P(MD)No.12239 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.11.2024

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD)No.12239 of 2024

D.Manohar

... Petitioner

Vs

1.The District Registrar,
Dindigul District,
Dindigul.

2.The Sub Registrar Joint-II,
SRO - Joint II Office,
Taluk Office Complex,
Dindigul.

3.The Village Administrative Officer,
Thottanothu Village,
Dindigul East Taluk,
Dindigul District.

4.K.Prabakaran

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the second respondent to delete the relevant entries of the tenancy agreement in Document No.1811/1996 dated 26.06.1996 included in the Encumbrance Certificate within the time fixed by this Court.

For Petitioner : Mr.M.Rajarajan

For RR 1 to 3 : Mr.M.Sarangan



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ORDER

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This Writ Petition has been filed by the petitioner for a direction, directing the second respondent to delete the relevant entries in respect of the lease agreement dated 26.06.1996 registered vide Document No.1811 of 1996 in respect of the property owned by the petitioner comprised in Survey Nos.592/3 and 592/4 situated at Thottanoothu Village, Dindigul East Taluk, Dindigul District.

2.The subject property was leased out in favour of the fourth respondent for a period of 5 years for the purpose of twisting silk threads by the lease agreement dated 26.06.1996 and the same was registered vide Document No.1811 of 1996. After the expiry of 5 years, the lease deed was not renewed and the lease period was also not extended. In fact, the fourth respondent/tenant vacated and handed over the possession of the subject property in favour of the petitioner. However, the entry in respect of the subject property while registering the lease deed was made in the records of the subject property. Therefore, the petitioner submitted a representation to delete the entry.



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3. On written instructions, Mr. M. Sarangan, learned Additional Government Pleader appearing for the respondents 1 to 3 would submit that the registering authority has no power to delete any entry in respect of the registration of the lease deed. That apart, even though the lease period expired, the petitioner ought to have approached the civil Court for appropriate relief whether the lessee vacated and handed over the vacant possession of the subject property.

4. Though the second respondent has no power to delete any entry, the second respondent has the power to enter into the book of records in respect of the subject property. Admittedly, after the expiry of lease period, there was no renewal of lease period or extension of lease period by registration of any document with the second respondent. Therefore, the lease agreement dated 26.06.1996 registered vide Document No. 1811 of 1996 is no more and expired as on 2001 itself. The second respondent is directed to enter this order in the book of records in respect of the subject property.



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5.With the above direction, this Writ Petition is disposed

of. There shall be no order as to costs.

29.11.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
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To

- 1.The District Registrar,
Dindigul District,
Dindigul.
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- 3.The Village Administrative Officer,
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G.K.ILANTHIRAIYAN, J.

ps

Order made in
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