



W.P(MD)No.13688 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.08.2024

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P(MD)No.13688 of 2023

R.Santhi Seela

... Petitioner

Vs.

The Sub-Registrar,
Sub-Registrar Office,
Melur,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to carry out necessary change in the schedule No.34 in Document No.3679 of 2022 as Ward No.2 of Melur instead of Ward No.11 of Melur, Madurai by considering the petitioner representation dated 29.05.2023.

For Petitioner : Mr.C.M.Arumugam
For Respondent : Mr.P.Subbaraj
Special Government Pleader

ORDER

The petitioner seeks a direction to the respondent to carry out necessary change in schedule No.34 in Document No.3679 of 2022 as Ward No.2 of Melur instead of Ward No.11 of Melur, Madurai by considering the petitioner representation dated 29.05.2023.



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2. Heard the learned counsel appearing on either side and perused the materials placed on record.

3. It is the case of the petitioner that with regard to the ancestral properties of the petitioner, there was a civil dispute between the petitioner and his family members. The suit in O.S.No.225 of 2010 filed by the petitioner in this regard was decreed in his favour. The petitioner has also registered the said decree and he is in possession and enjoyment of the subject property. However, a mistake had been occurred in the identity of one of the properties in Schedule No.34. Hence, the petitioner made an application to rectify the said error. Since no action has been taken on the said application, the petitioner has filed this writ petition.

4. Perusal of the decree and judgment shows that the decree has been granted in respect of the property in S.No.176/2, Ward No.11, Melur. However, in the encumbrance certificate, it has been wrongly mentioned as Ward No.2, Melur. It is only a clerical mistake made by the authorities concerned and hence, the same shall be rectified by the authorities. Such view of the matter, the respondent is directed to rectify the said mistake, by including Ward No.2



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instead of Ward No.11, as per the partition decree obtained by the petitioner within a period of one month from the date of receipt of a copy of this order.

5.With the above observation, this writ petition is allowed. No costs.

27.08.2024

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

The Sub-Registrar,
Sub-Registrar Office,
Melur,
Madurai District.



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N.SATHISH KUMAR, J

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