



W.P.(MD)No.16700 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.11.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE G.K.ILANTHIRAIYAN**

W.P.(MD)No.16700 of 2024

and

W.M.P.(MD)No.14452 of 2024

Govindaraj

/Vs./

... Petitioner

1. Government of Tamil Nadu
Through its Secretary and Commissioner,
Registration Department, Fort St.George,
Chennai - 600 009.
2. The Inspector General of Registration,
Mandaveli, Chennai - 600 028.
3. The District Registrar (Administration),
Tenkasi District.
4. The Sub-Registrar
Sengottai.
5. Tata Consultancy Services
C/o.The Inspector General of Registration,
Chennai - 600 028.
6. The Commissioner
Sengottai Municipality, Sengottai.
7. The Tahsildar
Sengottai.

.. Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 5 herein to amend modify and correct the entry shown as T.S.No. 14A and 14B for the petitioners property as Government Poromboke with remarks Highways in Veerakeralavarmapuram Street Sengottai Taluk Tenkasi District to T.S.No.14 in Door No. 56/50 enter the name of the Petitioner Govindaraj as owner of the property as per his sale deed and Revenue Records of the Respondents 6 and 7 based on the petitioner's request vide Track Support Request System of the Respondents 1 to 4 website dated 28.11.2023 and within a time frame to be fixed by this Court.

For Petitioner : Mr.T.Venkatramana, Senior Counsel
for Ms.V.Janaki Devi

For Respondent : Mr.D.Sadiq Raja
Additional Government Pleader R1-5&7

ORDER

This Writ Petition has been filed for direction, directing the respondents 1 to 5 herein to correct the entry shown as T.S.No. 14A and 14B for the petitioner's property as Government Poromboke with remarks Highways in Veerakeralavarmapuram Street, Sengottai Taluk, Tenkasi District, to T.S.No.14 in Door No. 56/50 enter the name of the Petitioner Govindaraj as owner of the property as per his sale deed and Revenue



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Records of the Respondents 6 and 7 based on the petitioner's request vide Track Support Request System of the Respondents 1 to 4 website dated 28.11.2023.

2. Heard the learned counsel on either side.

3. The petitioner owned the property comprised in S.No.71/34, Old ward No.5, 7th Street, ad-measuring 9 cents, Now in ward No.A, Block 2 corresponding to New T.S.No.14 measuring 3229.2 sq.ft., house is also assessed with the property tax and provided all amenities from all the parties concerned. Due to his family circumstances, he intended to sell the same in favour of third party and executed sale deed in favour of one R.Jayaraman and presented before the fourth respondent for registration. However, the registering authority refused to register the sale deed and informed that the subject property comprised in T.S.No.14 is subdivided into T.S.No.14A and 14B and classified as Government Poromboke with remarks “High Ways”. On verification, nowhere it is subdivided as T.S. No.14A and 14B and classified as Government Poromboke with remarks “High Ways”, except the registering authority, the petitioner perused all



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the revenue records and it is evident that the subject property comprised in T.S.No.14 is never subdivided as T.S.No.14 A and 14B. The subject property stands in the name of the petitioner as per the revenue records. In fact, the petitioner was issued patta, after constructing house and the house has been assessed with property tax and all the amenities were provided in favour of the petitioner. Though the third respondent objected to register the document on the ground that the property now subdivided in T.S.No.14A and 14B, the fourth respondent failed to peruse any document from which, in order to substantiate the said contention.

4. The learned Additional Government Pleader filed written instructions and submitted that the property comprised in T.S.No.14, now is subdivided as T.S.No.14A and 14B and accordingly, if they presented the document, it had been registered in accordance with law.

5. When the registering the authority committed mistake, it cannot be compelled the petitioner to correct accordingly. The mistake can be corrected by another mistake. The revenue records in respect of the subject property all along in the name of the petitioner as T.S.No.14.



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There is no record to show that it has been subdivided into T.S.No.14A and 14B. That apart, it is located in the adjacent of the Government River pond and there is no High Way. Therefore, the classification as well as the remark also, they had wrongly mentioned as Government Poromboke and remarked as High Ways.

6. In view of the above, the fourth respondent ought to have registered the sale deed, which was presented for registration by the petitioner. Accordingly, the petitioner is directed to present the sale deed executed in favour of third party in respect of the subject property in T.S.No.14. On receipt of the same, the fourth respondent is directed to register and release the same forthwith.

7. With the above directions, this Writ Petition is allowed. Consequently, connected Miscellaneous Petition is closed.

20.11.2024

Index : Yes / No

Internet : Yes/No

NCC : Yes / No

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Note: Issue order copy on 21.11.2024



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G.K.ILANTHIRAIYAN, J.

LS

TO:-

1. The Secretary and Commissioner,
Registration Department, Fort St.George,
Chennai - 600 009.
2. The Inspector General of Registration,
Mandaveli, Chennai - 600 028.
3. The District Registrar (Administration),
Tenkasi District.
4. The Sub-Registrar
Sengottai.
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C/o.The Inspector General of Registration,
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6. The Commissioner
Sengottai Municipality, Sengottai.
7. The Tahsildar
Sengottai.

Order made in
W.P.(MD)No.16700 of 2024

Dated:
20.11.2024