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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD) No.23242 of 2024

O.V.Singaraj ...Petitioner

-vs-

1.The Inspector General of Registration,
No.100, Santhom High Road, Chennai.

2.The District Registrar (Administration),
Dindigul, Dindigul District.

3.The Sub Registrar,
O/o.Sub Registrar office,
Batalagundu, Dindigul District.

4.O.Rajangam
5.Jeyaraj
6.Chellaveer ...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of Certiorarified Mandamus, to call for the records relating with the order of the second respondent made in O.Mu.No.8409/A3/2022 dated 24.03.2023 and quash the same as it is illegal and in consequence to direct him to pass an appropriate order after conducting an enquiry on petitioner's complaint dated 20.07.2021.

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For Petitioner : Mr.R.Suriya Narayanan
For R1 to R3 : Mr.M.Siddharthan
Additional Government Pleader

ORDER

The petitioner has filed this writ petition challenging the order of the second respondent in O.Mu.No.8409/A3/2022 dated 24.03.2023 rejecting the application of the petitioner and to direct the second respondent to pass an appropriate order after conducting an enquiry on the petitioner's complaint dated 20.07.2021.

2.Mr.M.Siddharthan, learned Additional Government Pleader takes notice for the respondents 1 to 3. Considering the nature of the order proposed to be passed, notice to the respondents 4 to 6 is dispensed with.

3.By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

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4.The case of the petitioner is that the petitioner purchased the petition mentioned properties by way of a document dated 24.07.2013. He mutated all the revenue records in his name. However, in the partition deed dated 18.01.1995, the properties of the petitioner has been wrongly included. Hence, the petitioner made an application to remove that survey number from the said partition deed. The second respondent after considering the application of the petitioner, has rejected the same relegating the petitioner to approach the civil Court. Challenging the same, the petitioner has filed this writ petition.

5.At the outset, this Court is of the view that there is no merit in this writ petition. When the survey number has been included in a registered document of the year 1995, as a matter of right, the same cannot be directed to be removed merely based on a representation submitted by the petitioner. It is for the petitioner to work out his remedy in the manner known to law by filing a rectification deed or a suit for rectification before the competent civil Court. Instead, mere giving complaint/ representation before the registering authorities will not serve any purpose in this regard.

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6.Accordingly, this writ petition stands dismissed. No costs.

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Index : Yes / No
Internet : Yes / No
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To

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N.SATHISH KUMAR, J.

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