



W.P (MD).No.27469 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.11.2024

CORAM

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

W.P (MD).No.27469 of 2024

Sundararaj

...Petitioner

Vs.

1.The District Registrar,
Office of the Registration Department,
Palayamkottai,
Tirunelveli District.

2.The Sub Registrar,
Kaluzhumalai Sub Registrar Office,
Kaluzhumalai,
Thoothukudi District.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second respondent to receive the Sale Deed Document without insisting to remit square meter value for the petitioner's Punjai lands in Survey No.1312/2 (Hectare 0.06.00) vide in Patta No.1044, Survey No.1312/3 (Hectare 0.30.00) and Survey No.1312/8 (Hectare 0.37.00) vide in Patta No.143 and Survey No.1312/6 (Hectare 0.37.00) vide in Patta No.276 and Survey No.1312/4 (Hectare 0.40.00) vide in Patta No.184 and Survey No.1312/7 (Hectare 0.16.00) vide in Patta No.837 and Survey No. 1312/5 (Hectare 0.08.00) vide in patta No.1395 of Sayamalai-2 village and register the same based on considering the petitioner's representation dated 02.08.2023.



WEB COPY



W.P (MD).No.27469 of 2024

For Petitioner : Mr.V.Muthuvelan
For Respondents : Mr.M.Sarangan
Additional Government Pleader

ORDER

This writ petition has been filed for a direction directing the second respondent to receive the sale deed document without insisting to remit square meter value for the petitioner's Punjai lands in Survey No.1312/2 (Hectare 0.06.00) vide in Patta No.1044, Survey No.1312/3 (Hectare 0.30.00) and Survey No.1312/8 (Hectare 0.37.00) vide in Patta No.143 and Survey No. 1312/6 (Hectare 0.37.00) vide in Patta No.276 and Survey No.1312/4 (Hectare 0.40.00) vide in Patta No.184 and Survey No.1312/7 (Hectare 0.16.00) vide in Patta No.837 and Survey No.1312/5 (Hectare 0.08.00) vide in patta No.1395 of Sayamalai-2 village.

2. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. Heard the learned counsel appearing on either side and perused the materials placed before this Court.



W.P (MD).No.27469 of 2024

4. The petitioner owned the property in Survey No.1312/2 (Hectare 0.06.00) vide in Patta No.1044, Survey No.1312/3 (Hectare 0.30.00) and Survey No.1312/8 (Hectare 0.37.00) vide in Patta No.143 and Survey No. 1312/6 (Hectare 0.37.00) vide in Patta No.276 and Survey No.1312/4 (Hectare 0.40.00) vide in Patta No.184 and Survey No.1312/7 (Hectare 0.16.00) vide in Patta No.837 and Survey No.1312/5 (Hectare 0.08.00) vide in patta No.1395 of Sayamalai-2 village and the petitioner is in possession and enjoyment of the same. According to the petitioner, it is an agricultural land and he is cultivating the same. Further, as per the revenue records, the said lands were categorized as Punjai Land. The petitioner also planted coconut tree, Mango Tree and Neem Tree in the subject land. While being so, the petitioner had decided to sell the same to the third party and presented the documents for registration. However, the second respondent insisting the petitioner to remit the stamp duty as square meter value for the subject property.

5. The learned Additional Government Pleader appearing for the respondents would submit that in the same locality and the same survey number adjacent to the property was registered as housesite. Therefore, the subject land cannot be construed as agricultural land though it is mentioned as Punja land. Therefore, the petitioner submitted a representation before the District Collector.



W.P (MD).No.27469 of 2024

WEB COPY

6. In view of the above, the valuation committee headed by the District Collector, Tirunelveli District is directed to value the subject property for registration within a period of six weeks from the date of receipt of a copy of this order.

7. With the above direction, the writ petition is disposed of. No costs.

Internet : Yes
Index : Yes/No
Speaking/Non Speaking order
am

18.11.2024

To

1.The District Registrar,
Office of the Registration Department,
Palayamkottai,
Tirunelveli District.

2.The Sub Registrar,
Kaluzhumalai Sub Registrar Office,
Kaluzhumalai,
Thoothukudi District.

Copy To

The District Collector,
Tirunelveli District.



WEB COPY



W.P (MD).No.27469 of 2024

G.K.ILANTHIRAIYAN, J.

am

W.P (MD).No.27469 of 2024

18.11.2024