

WP No.14501 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 21.01.2025

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CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.14501 of 2020

1. V.Karunanidhi
2. S.Thangammal
3. S.Muthuvadivu
4. S.Pandaravadivu
5. S.Jaiganesh

Petitioners 2 to 5 are

rep by their Power Agent,

V.Karunanidhi, the 1st petitioner

... Petitioners

Vs

1. The Principal Secretary to Government and
Inspector General of Registration,
100, Santhome High Road,
Mylapore, Chennai 600 028.
2. The Deputy Inspector General of Registration,
DIG of Registration Office,
Guindy, Chennai 600 032.
3. The District Registrar,
North Chennai District.



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4. The Sub Registrar.

Vallalar Street, Red Hills, Chennai 600 052.

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5. The GP CAPT,

Chief Administrative Officer,

23, ED AF, Air Force Station,

Avadi, Chennai 600 055.

6. The District Revenue Officer,

Tiruvallur District.

7. The Commissioner of Police,

Avadi, Chennai.

[R6, R7 Suo motu impleaded dated 23.08.2023

made in W.P.No.14501/2020 by SMSJ)

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified mandamus, calling for the records of the 1st respondent pertaining to the impugned letter / order No.15564/C 1/2019 dated 16.04.2019 and quash the same as null and void in as much as it relates to the petitioner's land comprised in Survey No.147/1A (1A1A1A), 147/1C, 147/1D in Attanthangal Village, Ponneri Taluk, Thiruvallur District consequential direct the 4th respondent to register the sale deed presented by the petitioner herein.



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For Petitioner : Mr.R.Udayakumar
for Mr.N.Amuthalakshmi

For Respondents
1 to 4 : Mr.P.Harish
Government Advocate

For Respondent-5 : Mr.AR.L.Sundaresan, ASGOI
assisted by
Mr.R.Rajesh Vivekananthan
Deputy Solicitor General of India

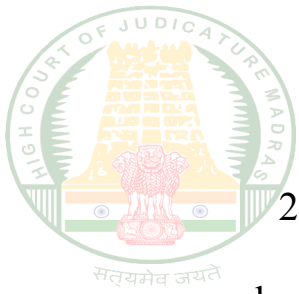
For Respondent-6 : Mr.P.Sathish
Additional Government Pleader

For Respondent-7 : Mr.R.Vinoth Raja,
Government Advocate(Crl.Side)

ORDER

This Writ Petition has been filed for the following relief:

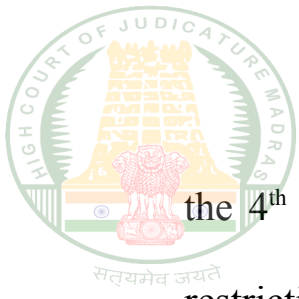
“To issue a Writ of Certiorarified mandamus, calling for the records of the 1st respondent pertaining to the impugned letter / order No.15564/C 1/2019 dated 16.04.2019 and quash the same as null and void in as much as it relates to the petitioner's land comprised in Survey No.147/1A (1A1A1A), 147/1C, 147/1D in Attanthangal Village, Ponneri Taluk, Thiruvallur District and consequently direct the 4th respondent to register the sale deed presented by the petitioner.”



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2. The petitioners are the legal heirs of one Somasundaram, who purchased Plot No.65 in Sathya Nagar, measuring an extent of 2400 sq. ft., comprised in Survey No.147/1A in Attanthangal Village, Ponneri Taluk, Thiruvallur District, by way of a Sale Deed registered as Document No.12 of 1984 in the Sub Registrar Office, Ponneri. The said Somasundaram died on 08.11.2017. After his death, the petitioners 2 to 5 executed a General Power of Attorney Deed in favour of the 1st petitioner, authorising him to manage, maintain and also to sell the property.

3. When the 1st petitioner enquired about the guideline value of the said land with the 4th respondent, he was informed that pursuant to the request of the 5th respondent, the 1st respondent had stopped all transactions relating to the lands comprised in Survey Nos.147/1A, 147/1C, and 147/1D. Since there was no proper reply regarding the ban on registration in the said survey numbers, the petitioner sent an application to the Public Information Officer, Registration Department under the RTI Act on 27.08.2019. He was however not provided with the information that he had sought. Hence, he preferred an appeal to

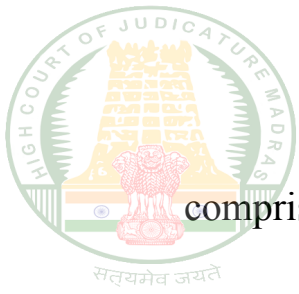


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the 4th respondent on 30.10.2019. Thereafter, he came to learn that a restriction had been imposed on the registration of lands comprised in Survey No.147 situated in Attanthangal Village, Ponneri Taluk, Thiruvallur District. The 1st respondent had directed the 4th respondent to stop the irregular transfer of the lands belonging to the defence in the Cholavaram Airfield area as these persons were encroachers. The 5th respondent claimed that the entire lands in Survey No.147 belonged to them.

4. The petitioner wanted to sell his property bearing Plot No.65 Sathya Nagar and submitted the Sale Agreement before the respondent on 19.12.2019 for registration. However, the 4th respondent refused to register the sale agreement by impugned order dated 16.04.2019 stating that the lands at S.No.147 were defence lands.

5. Pursuant to the survey that has been undertaken after the orders of this Court, a combined sketch has also been produced. The letter dated 21.09.2023 addressed by the Tahsildar, Ponneri to the District Collector, Thiruvallur District and the sketch indicates that the lands



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comprised in Survey No.147/1B and 2B alone are defence lands.

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6. Therefore, the impugned order insofar as it relates to the lands comprised in Survey No.147/1A (1A1A1A), 147/1C, 147/1D in Attanthangal Village, Ponneri Taluk, Thiruvallur District is set aside. The letter dated 21.09.2023 issued by the Tahsildar shall be forwarded to the 4th respondent within a period of one week from the date of receipt of a copy of this order. The xerox copy of the surveyor's report along with sketch shall also be annexed with the aforesaid letter. In the light of the above, the 4th respondent shall register the document produced before him in respect of the aforesaid lands. Accordingly, this writ petition is disposed of. No costs.

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Index : Yes/No
Internet : Yes/No
srn



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To

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P.T. ASHA, J,

srn

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