



W.P.No.20063 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.20063 of 2025

R.S.Shrinivasan

... Petitioner

Vs.

1. The Additional Chief Secretary to Government,
Commercial Tax & Registration Department,
Government of Tamil Nadu,
Fort St.George, Chennai - 600 009.

2. The Inspector General of Registration,
No.100, Santhom High Road,
Bharath Nagar, Raja Annamalaipuram,
Chennnai - 600 028.

3. The District Registrar,
Tambaram Registration District,
Tambaram.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of writ of mandamus, to direct the third respondent herein to consider the petitioner's representation dated 18.03.2025 to conduct the enquiry and to remove the wrong entries of sale deed said to be registered on 21.05.1974 registered as Document No.1647/1974 executed between Kamalammal and Muthu in Application & Certificate No.953/2025 in the register maintain by the Sub Registrar Office, Tambaram Joint-I.



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For Petitioner : Mr.D.Rajagopal
For Respondents : Mr.Stalin Abimanyu
Additional Government Pleader

ORDER

This writ petition has been filed for a direction, directing the third respondent herein to conduct enquiry on the representation of the petitioner dated 18.03.2025 to remove the wrong entries of sale deed said to be registered on 21.05.1974 as Document No.1647/1974 executed between Kamalammal and Muthu in Application & Certificate No.953/2025 in the register maintained by the Sub Registrar Office, Tambaram Joint-I.

2. By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself.

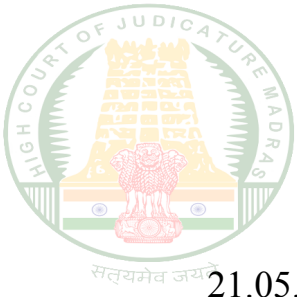
3. The specific case of the petitioner is that originally the land in Plot No.39 measuring 3600 sq.ft and Plot No.40 measuring 5400 sq.ft comprised in Survey No.415/2C at Perungalathur Village was purchased by one Kamalammal, she having purchased the same from one Munisamy vide sale deed dated 22.08.1966 and registered as Document No.2548/1966. The



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said Kamalammal died intestate on 22.04.2012 by leaving behind her legal heirs and the revenue records were also mutated in the name of the legal heirs of Kamalammal. On 28.08.2024, the petitioner purchased the property bearing Plot No.40 measuring 5400 sq.ft comprised in Old Survey No.415/2C and New Survey No.415/42 at Perungalathur Village from the legal heirs of Kamalammal vide sale deed dated 28.08.2024 and registered as Document No.7510/2024 and the adjacent land bearing Plot No.39 measuring 3600 sq.ft was purchased by the petitioner's son vide sale deed dated 28.08.2024 and registered as Document No.7511/2024 and patta also stands in their name. While so, one Wilson, applied for encumbrance certificate for the petitioner's land. The encumbrance certificate reflected two entries viz., the sale deed registered as Document No.2548/1966 executed between Munusamy and Kamalammal and the second entry is a false entry, i.e., sale deed dated 21.05.1974 registered as Document No.1647/1974 executed between Kamalammal and Muthu. Therefore, the petitioner made a representation dated 18.03.2025 before the third respondent, requesting for removal of wrong entry of the sale deed dated



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21.05.1974 registered as Document No.1647/1974. Since the same has not been considered, the present writ petition has been filed.

4. Learned counsel for petitioner submitted that the above encumbrance certificate is on the basis of non-existence instrument and hence, this Court may direct the respondents to conduct enquiry with regard to removal of wrong entries on the basis of the representation submitted by the petitioner.

5. Learned Additional Government Pleader appearing for respondents submitted that the concerned respondent would conduct an enquiry after affording opportunity to the petitioner and any other interested parties and the representation would be considered and orders will be passed within the time frame to be fixed by this Court.

6. Taking into consideration the facts and circumstances of the case and the submissions made on either side, there shall be a direction to



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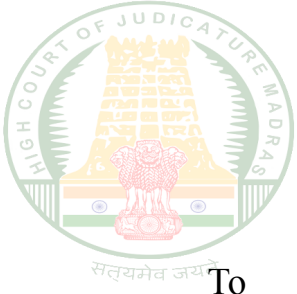
the concerned respondent to act upon the representation made by the petitioner on 18.03.2025 and conduct enquiry with regard to wrong entires made in sale deed dated 21.05.1974 by issuing notice to the petitioner and interested parties / including the parties to the sale deed dated 21.05.1974 and affording an opportunity of hearing to all interested parties and orders shall be passed on its own merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any views with regard to the merits of the case and it is open to the concerned respondent to consider the case on its own merits and in accordance with law.

7. Accordingly, the Writ Petition stands disposed of. No costs.

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NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

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MOHAMMED SHAFFIQ, J.

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