



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.08.2025

CORAM

THE HONOURABLE MRS JUSTICE S.SRIMATHY

WP(MD) NO. 5214 of 2025 and

WMP(MD)No.3816 of 2025

Bhaija

Petitioner(s)

Vs

1. The Deputy Inspector General of Registration
Tirunelveli

2. The District Registrar
Kalukootam Panchayat
Kanniyakumari District

3. A.George

4. Rajam

Respondent(s)

For Petitioner(s): Mr.SC.Herold Singh

For Respondent(s): Mr.D.Sasikumar, Additional Government Pleader for R1 & R2
Mr. B.CHristopher FOR R3

No appearance for R4

Prayer:

Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorari calling for the records on the files of the 2nd respondent pertaining to its proceeding bearing No. 1421/A/2020 dated 10.08.2021 and the consequential proceeding of the 1st respondent pertaining to its proceeding in Na.Ka.No. 7146/tabi/2022 dated 26.12.2023 and to quash the same.



ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorari, to quash the proceedings bearing No. 1421/A/2020 dated 10.08.2021 and the consequential proceeding of the 1st respondent pertaining to its proceeding in Na.Ka.No. 7146/tabi/2022 dated 26.12.2023.

2.The contention of the petitioner is that he has purchased a property in Survey No. 361/20 and the respondent's property is in Survey No.361/19. However, the 3rd respondent submitted an application as if the petitioner has executed a sale deed covering his property but the fact remains that the 4th respondent has sold the property in Survey No.361/20 to an extent of 10 cents to the petitioner. However, without knowing the exact fact, the present impugned order has been passed. Aggrieved over the same, the present writ petition is filed.

3.The contention of the third respondent is that the third respondent has inherited the property to an extent of 13.5 cents from his father.

4.This Court is of the considered opinion that if the survey is conducted after hearing the rival submissions, based on both the documents, the issue could be resolved. However, the revenue authority is not a party in this petition. Therefore, the



impugned order is quashed. The petitioner is directed to submit a fresh application to the revenue authorities for survey within a period of four weeks from the date of receipt of a copy of this order. On receipt of the same, the revenue authorities shall issue a notice to the petitioner as well as to the third respondent, conduct the survey and thereafter, pass an order. If the third respondent is aggrieved again, he is at liberty to approach the competent authorities as per law.

5. With the above observations, this Writ Petition is allowed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

08.08.2025

Tmg

To

1. The Deputy Inspector General of Registration
Tirunelveli

2. The District Registrar
Kalukootam Panchayat
Kanniyakumari District