



W.P(MD)No.6353 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.08.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.6353 of 2024

and

W.M.P(MD)Nos. 5962 & 5963 of 2024

S.Kanniappa Asari

...Petitioner

Vs.

1. The Inspector General of Registration,
100, Santhome High Road,
Raja Annamalaipuram,
Chennai 28.

2. The District Collector,
Thoothukudi.

3. The District Registrar,
Registration Department,
Kokkirakulam,
Tirunelveli.

4. The Sub Registrar,
Kadambur S.R.O,
Thoothukudi District.

5. The Assistant Director,
Department of Geology and Mining,
Thoothukudi.

6. N.Rajkumar,

7. Flower

....Respondents



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PRAYER : Writ Petition, filed under Article 226 of the Constitution of India, praying this court praying this Court to issue a Writ of praying this Court to issue a Writ of of Certiorarified Mandamus, call for the records of the proceedings of the 2nd respondent bearing Na.Ka.No. 407/A5/2022 dated 03.01.2023 and quash the same, and consequently refrain the respondents 1, 4, to grant any mining license in respect of the property in survey No. 260/1A and Survey No. 260/3 both comprised about 2.70 acres situated at Nagampatti Village in Kayathar Taluk, Thoothukudi District.

For Petitioner : Mr.S.Sivalayaraja
For R-1 to R-5 : Mr.S.Saji Bino
Special Government Pleader, for R-1 to R-4

ORDER

The present Writ Petition has been filed for the issuance of a *Writ of Certiorarified Mandamus*, to quash the proceedings of the 2nd respondent bearing Na.Ka.No.407/A5/2022 dated 03.01.2023 and consequently refrain the respondents 1, 4, to grant any mining license in respect of the property in survey No. 260/1A and Survey No. 260/3 both comprised about 2.70 acres situated at Nagampatti Village in Kayathar Taluk, Thoothukudi District.

2. The present impugned order was passed under Section 77A of the Registration Act. The respondents are not having right or jurisdiction to entertain any claim under Section 77A of the Registration Act, as it has been held to be ultra vires.



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3. Accordingly, this writ petition is allowed. The impugned order dated 03.01.2023 is hereby quashed. The parties are at liberty to agitate their issues in pending suit in O.S.No.273 of 2022 on the file of the District Munsif Court, Kovilpatti. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

08.08.2025

NCC : Yes / No
Internet : Yes

KSA



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4. The Sub Registrar,
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Thoothukudi District.
5. The Assistant Director,
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S.SRIMATHY, J.

**ORDER MADE IN
W.P(MD)No.6353 of
2024**

08.08.2025