



W.P.(MD).No.17533 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 27.06.2025

CORAM

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

W.P.(MD).No.17533 of 2025

Vellaisamy

... Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

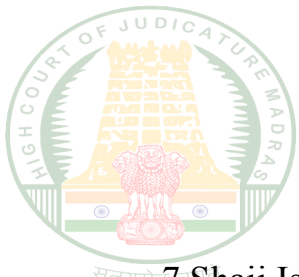
2.The Revenue Divisional Officer,
Sivagangai District,
Sivagangai.

3.The Tahsildar,
Kalayarkovil Taluk,
Sivagangai District.

4.The District Registrar,
Registration Office,
Thirupattur Road,
Sivagangai District.

5.The Sub-Registrar,
Registration Office,
Kalayarkovil,
Sivagangai District.

6.M.Jose Mathew



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7.Shaji Isaac
8.Daliya Sibbu

9.Sibu Issac

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, forbearing the 5th respondent registering any deeds/documents in respect of Nilaviyal Pathway situated in Survey Nos.141, 142, 143, 151, 152, 153, 154, 155, 156, 157, 158, 159, 200, 204, 205, 200/17A in Vaniyangudi Village, Koonapatti Village and Nattarakottai Village and remove the encroachment made by the private respondents by considering the petitioner's representation dated 29.05.2025 within a time that may be fixed by this Court.

For Petitioner : M/s.R.Muthulakshmi

For R-1 to R-5 : Mr.P.Thilak Kumar

Government Pleader

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM, J.)

The Writ Petition has been instituted to forbear the fifth respondent from registering any deeds/documents in respect of Nilaviyal Pathway situated in Survey Nos.141, 142, 143, 151, 152, 153, 154, 155, 156, 157, 158, 159, 200, 204, 205, 200/17A in Vaniyangudi Village, Koonapatti Village and

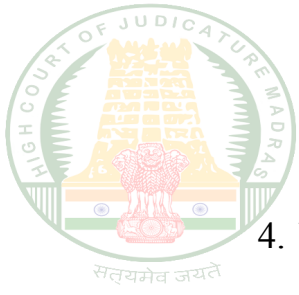


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WEB COPY Nattarakottai Village and remove the encroachment made by the private respondents by considering the petitioner's representation dated 29.05.2025 within a time that may be fixed by this Court.

2. Negative prayer cannot be granted, since any document presented before the Sub Registrar, if in accordance with the procedure contemplated under the Registration Act, the authority has to register the same by following the procedure. Therefore, High Court cannot issue any such blanket direction not to register any document under the Registration Act. However, the Sub Registrar has to verify the correctness of the document and thereafter, register the same in accordance with law.

3. As far as the removal of encroachment made by the private respondents, the respondents 1 to 3 are directed to conduct a field inspection and if any encroachments are identified, then, initiate appropriate action under the Land Encroachment Act or the relevant law to evict the encroachers by following the procedures as contemplated.



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4. With the above direction, the Writ Petition stands disposed of. There

shall be no order as to costs.

(S.M.S.,J.) (A.D.M.C.,J.)
27.06.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Lm

To

- 1.The District Collector,
Sivagangai District,
Sivagangai.
- 2.The Revenue Divisional Officer,
Sivagangai District,
Sivagangai.
- 3.The Tahsildar,
Kalayarkovil Taluk,
Sivagangai District.
- 4.The District Registrar,
Registration Office,
Thirupattur Road,
Sivagangai District.
- 5.The Sub-Registrar,
Registration Office,
Kalayarkovil,
Sivagangai District.



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