



W.P(MD)No.15221 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.08.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.15221 of 2024

and

W.M.P.(MD)Nos.13325 &13329 of 2024

Natarajan

... Petitioner

Vs.

1. The Sub Registrar,
Tamilnadu Registration Department,
Thirumayam Post and Taluk,
Pudukkottai District.

2. Pothuvalli

...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records from the 1st respondent pertaining to his refusal to register the sale deed vide check slip Refusal No.RFL/Thirumayam 16/2023 dated 20.01.2023 and to quash the same as illegal, invalid and to direct the 1st respondent to register the sale deed in favour of the 2nd respondent.

For Petitioner : Mr.S. Vethachalam

For R1 : Mr.S.Saji Bino
Special Government Pleader



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ORDER

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The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to quash the refusal check slip in Refusal No. RFL/Thirumayam 16/2023 dated 20.01.2023 and to direct the 1st respondent to register the sale deed in favour of the 2nd respondent

2.The contention of the petitioner is that the land belongs to the petitioner's father and the petitioner's father had sold the land to the 2nd respondent. When the petitioner submitted the sale deed before the 1st respondent for registration, the 1st respondent refused to register the same stating that the land is indicated as "குலமங்களம் குளிதாடன் கண்மாய் நீர்ப்பிடி" (water catchment area) in the 'A' Register.

3. It is seen from the records that the petitioner's father and the petitioner family was in possession of the said land for more than 60 years and was doing agricultural activities. The patta was also issued in favour of the petitioner's father. Further as per revenue records the land is classified as "குலமங்களம் குளிதாடன் கண்மாய் நீர்ப்பிடி" (water catchment area) and not as water body. Water catchment area is a region of land, not a water body itself. The water catchment area that collects precipitation and other water sources and



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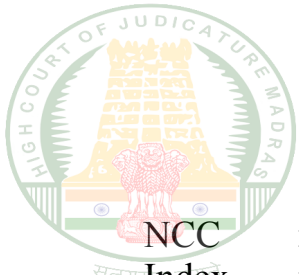
directs them through a system of streams and rivers into a common outlet, such as a lake, river, or ocean. While the water body is the destination for the water, the catchment area is the surrounding landscape that contributes to that water body. Therefore, the water catchment area cannot be considered as water body by itself. Hence the revenue objection is incorrect.

4. If the revenue is of the opinion that the water catchment area is necessary for the general public, the revenue ought to take appropriate action to either acquire or otherwise declare the same as water body itself. Until such order is passed, the revenue cannot object for registering the land.

5. Therefore, the impugned order is quashed and the 1st respondent is directed to register the sale deed with a period of four weeks from the date of receipt of the copy of the order. Further the 1st respondent shall intimate the concerned revenue authority about the present order.

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

08.08.2025



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NCC : Yes / No

Index : Yes / No

Internet : Yes

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To

The Sub Registrar,
Tamilnadu Registration Department,
Thirumayam Post and Taluk,
Pudukkottai District.



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S.SRIMATHY, J.

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**ORDER MADE IN
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