

12/04/2023

To

1. Dr.V. Iraianbu IAS
The Chief Secretary
Secretariat Chennai 600009
2. Mr P. Moorthy
Minister for Commercial Taxes and Registration
Secretariat, Chennai 600009
3. Ms. B. Jothinirmalaamy IAS
Secretary – Commercial Taxes and Registration Department
Secretariat, Chennai 600009
4. Mr MP Sivanarul IAS
IG – Registration
No 100, Santhome Road, Chennai 600028
5. Mr Kumar Jayant IAS
Addl. Chief Sec – Department of Revenue
Secretariat, Chennai 600009
6. The Commissioner,
Greater Chennai Police
Commissioner office building
Vepery Chennai 600007

Sir/ Madam,

Sub: Illegal land and agreement registration by Elayaraja, Nainar Balaji S/o MLA Nainar Nagendran, misuse of MLA position by Mr Nainar Nagendran and public servants of Registration & Revenue Departments

ARAPPOR IYAKKAM

Arappor Iyakkam is an organization working towards Transparency and Accountability in Chennai

This is to bring to your attention about the blatant attempts of illegal land registration of a land in Chennai worth around Rs 100 Crores by MLA Nainar Nagendran's son Nainar Balaji, an individual named Elayaraja in collusion with the public servants of Registration Department and Revenue Department.

Facts of the case:

1. It has come to our notice that a private land measuring 1.3 acres in the heart of Chennai on Arcot Road, Virugambakkam in survey number 219/8B worth around Rs 100 Crores is in the process of being land grabbed by Thiru Nainar Balaji, son of MLA Thiru. Nainar Nagendran and Elayaraja in collusion with officials of Registration and Revenue Departments.
2. A sale agreement has been registered on 23/07/2022 between Thiru. Nainar Balaji who is in the youth wing of BJP and the son of BJP MLA Nainar Nagendran and Mr Elayaraja through Doc No 4278/2022 of Radhapuram SRO (Annexure 1). Mr Elayaraja was executed this sale agreement by claiming the following
 - a. That he is the power of Attorney for Mr Jayendra Vora.
 - b. That Mr Jayendra Vora is the grandson and only legal heir of Gulab Doss Narayan Doss who allegedly died in 1946.
 - c. That Mr Gulab Doss Narayan Doss is the original owner of the property.
3. The above sale agreement of survey number 219/8B in Virugambakkam village was registered at Radhapuram Sub Registrar office of Tirunelveli district by Sub Registrar Saravana Mariappan.

4. The sale agreement mentions that the property is agreed to be bought by Nainar Balaji for a sum of Rs 46 Crores and that an initial amount of Rs 2.5 crores have been paid by Mr Nainar Balaji to someone named Paramasivan on behalf of paying it to Elayaraja.

Brief background of the said property:

5. It was claimed that the land originally belonged to Gramani family. There seems to be several people who have been fighting for ownership over this land. On one side, there seems to be people who claim to be inheritors of the Gramani family and on other side, there is a claim that V.T.Narayanasami Gramani of the Gramani family mortgaged the scheduled property to Mr. Gulabdoss Narayanadoss and that the land was handed over through a suit O.S.No 85 of 931 to Gulabdoss narayanadoss as recovery of the mortgaged amount. The land seems to have exchanged several hands and there are several claims and counter claims for ownership.
6. On 09/03/2006, A. Saraswati, wife of G.Arumuga Gramani and G. Arumugam, son of V.T.Govindaraja Gramani and others who were allegedly holding the patta for the land sold the 1.3 acre land in survey number 219/8B to Mrs.S.Vasanta, wife of Mr.S.Sundaramahalingam and Mr. S. Sundaramahalingam. (Annexure 2) From then on, the land is said to be in the possession of Mr.Sundara Mahalingam. The patta for the land was in the name of Vasanta and Sundaramahalingam until 2022 (Annexure 1, Page 16).
7. Meanwhile, another claimant to the land namely Ms. Gowriammal & others seems to have filed a series of suits against A. Saraswati which were dismissed by the courts. She however seems to have created a deed of partition for the same land and registered it as Doc No 147 of 2008 at SRO Virugambakkam (Annexure 4). Sundaramahalingam and Vasanta, with whom the patta and possession of the land is,

moved a suit against this partition deed in the High Court which seems to have been later transferred to XV Additional city civil court as OS No 5468 of 2019. The suit is currently pending.

8. While the case has been pending and the patta is in the name of Mr Sundaramahalingam and Vasanta, suddenly, a sale agreement is registered between Elayaraja and Nainar Balaji for a agreed sum of Rs 46 crores at Radhapuram SRO, Tirunelveli and a upfront payment of Rs 2.5 crores.
9. The registration of the above sale agreement Doc No 4278/ 2022 between Elayaraja and Mr Nainar Balaji, son of MLA Nainar Nagendran is illegal for several reasons.
 - a. The above said land was registered in 2006 by Sundaramahalingam in Virugambakkam SRO. The patta as on the sale agreement registration date is in the name of Vasanta and Sundaramahalingam. The EC of the land shows registration in the name of Sundaramahalingam and Vasanta in the year 2006 and a partition deed by Gowriammal in the year 2008. The patta of the land on the date of presentation to the sub registrar office at Radhapuram was in the name of Sundara Mahalingam and Vasanta. Therefore, the sub registrar Saravana Mariappan should not have even accepted the document for presentation given that the patta of the land was neither in the name of Gulab Doss Narayan Doss, Jayendra Natwarlal Vora or his claimed power agent Elayaraja.
 - b. Secondly, the registration of sale agreement clearly violates Section 28 of the Registration Act. The property for which agreement is registered is in Virugambakkam village of Chennai whereas the sale agreement is registered in Radhapuram SRO of Tirunelveli district. Unless the owner of the land has a substantial part of the land in Radhapuram SRO limit which is also being sold, such an agreement cannot be registered at Radhapuram SRO as per Section 28 of the Registration Act. Therefore, the acceptance of sale

agreement at Radhapuram SRO for presentation and registration of it are clearly illegal in the first place. In particular, it was on 29.06.2022, that a circular no 37248/C1/2021 (Annexure 11) was issued by the IG – Registration to all sub registrars instructing them not to violate section 28 of the Registration act.

It was mentioned very clearly in the circular that including a small portion of property in another sub registrar office in order to shift the registering district to that place is effectively fraudulent in nature and also violates section 28 of the Registration act. In this case, in order to register the high value Chennai land at Radhapuram SRO, Elayaraja, on 02/06/2022 buys a small piece of land in udaiyathur (Annexure 12) village, Radhapuram SRO limit for Rs 1 lakh and on the same day includes this land along with the Chennai Rs 46 crore land, and presents it for agreement registration at Radhapuram SRO. The sub registrar is also in the know how of how Elayaraja has just bought a 1 lakh land to couple with a huge value of Rs 46 crore land to present for sale agreement at Radhapuram SRO. He should have rejected it on the grounds of above mentioned violations of section 28 of TN Registration Act. More importantly, the 1 lakh land is registered in name of Elayaraja & patta is in name of a different person called Radhakrishnan and for the Rs 46 crore high network Chennai land both the previous EC and patta is in the name of Sundara Mahalingam and Vasanta. Therefore, given there are different owners to the 2 properties on paper clearly, the Sub Registrar should not have accepted for registration or registered the sale agreement as it violates Section 28 of the Registration act.

It should also be noted how the 1 lakh land in udaiyathur village of Radhapuram SRO which was coupled with Chennai land have had multiple sales within 2 months of

the above transaction. While Elayaraja bought it from Gokul on 02/06/2022 for 1 lakh, Gokul previously had bought it from John on 01/06/2022 for Rs 3 lakhs. John previously had bought it from Senthil on 27/05/2022 for Rs 1 lakh. Senthil previously had bought it from TPK Murugan on 21/04/2022 for Rs 1 lakh. TPK Murugan had previously bought from Muniammal, Paramasivan and Kumarasamy through their agent Nyaanaguru for Rs 9.5 lakhs on 20/04/2022. Nyaanaguru previously bought it from Senthil for Rs 1 lakh on 11/04/2022. Therefore, it could be seen that this Rs 1 lakh property had been sold and resold several times within such a short period. All this requires a thorough investigation into such transactions.

- c. On Radhapuram SRO seeking clarification of the Chennai land from Virugambakkam SRO, the Sub Registrar Menaka sent a letter dated 20.07.2022 stating that metro rail had included the said survey number for acquisition. Menaka also mentions the guideline value. Given that she clearly knows that the land patta is in the name of Sundaramahalingam and Vasanta, she should have objected to the sale agreement registration by someone else without a valid patta. However, she also did not object showing her role of omission in the said act of registration. If metro rail is due to acquire and given metro rail is providing almost Rs 24000 per sq ft in Arcot road for compensation, SROs Menaka and Saravana Mariappan should have clearly sensed the fraud and manipulation by Elayaraja, Nainar Balaji and others to register sale agreement fraudulently to take advantage of the land acquisition compensation. However, they failed to do so.

However, Saravana Mariappan of Radhapuram SRO violated the laws of the land and illegally registered the sale agreement on 23/07/2022.

10. After the registration of sale agreement, the Revenue department suddenly changes the patta of Sundara Mahalingam and Vasanta to the name of Gulab Doss Narayan Doss who according to Elayaraja died on 12/07/1946. It is beyond comprehension how the revenue department changed the patta to Gulab doss Narayan doss name who is no more alive and who died more than 75 years ago. Clearly, the act of RDO Mambalam Praveena Kumari to change the patta to a dead person's name Gulab doss Narayan doss name on 12/08/2022 is contrary to law and requires a thorough investigation. (Annexure 5)
11. While Elayaraja claims that Gulab doss Narayan doss died in Maharashtra on 12/07/1946 through a death certificate issued by British India Bombay Municipal, there is also a death certificate of the Gulab doss Narayan doss issued by Chennai Corporation on 18.05.1944 (Annexure 6). It needs to be investigated on how the same person died in Chennai in 1944 and then in Bombay in 1946?
12. This person Elayaraja, who claims himself to be the power agent for the Chennai land is known for his land grabbing illegalities as is evident through his earlier fraudulent registrations. In Circular No 37248/C1/2021 dated 29/06/2022 of the office of IG - Registration, the circular mentions about specific fraudulent registrations wherein land belonging to Madurai Meenakshi Sundareswarar temple was fraudulently registered by Elayaraja and a person called Anish violating section 28 of the Registration act. Elayaraja first registered a power of attorney document of the Madurai temple land by portraying it as belonging to 10 other people through Doc No 1715 of 2021 on 02/07/2021 (Annexure 7 and 8). This power of attorney for Madurai land was registered in Tirunelveli Murappanadu sub registrar office violating section 28 of registration act.
13. Thereafter Elayaraja and Anish mortgaged the temple land for Rs 15 lakhs to their own relatives (Annexure 9). Elayaraja

mortgaged it to his wife for household expenses and Anish mortgaged it to his own father Prakash through Doc No 3444 of 2021 on 19/07/2021 at vadamadurai SRO in Dindugal district. Thus, the circular pointed out how spurious persons including Elayaraja fraudulently registered land belonging to Madurai Mecnakshi amman temple. The Sub Registrars Anantaraman of Murappanadu SRO and Prashant santhanakaruppan of vadamadurai SRO colluded with Elayaraja for such fraudulent transaction. The sub registrars neither checked for temple land nor rejected the registrations for violating section 28 of the Registration act.

14. While this circular was sent on 29.06.2022 to all the sub registrars asking them not to violate section 28 of the registration act, the Radhapuram and Virugambakkam SROs have blatantly violated them to register the sale agreements of the same Elayaraja in favour of Nainar Balaji.

15. Even though it may not be true but for argument sake, it may be considered that Gulab Doss Narayan Doss was the title owner of this Chennai property, the registration of sale agreement could not have taken place without change in patta to his legal heir if any and without cancelling the other registrations done by other claimants earlier. Therefore, on all fronts, the registration of sale agreement by Elayaraja and Nainar Balaji is fraudulent in nature.

16. It is well known that such fraudulent transactions of such a high net worth land cannot happen without the involvement of the politically powerful people and therefore, the political power of Nainar Balaji through his father Nainar Nagendran who is a sitting MLA to enable such fraudulent transactions require a thorough investigation.

17. The Government should have a clear process over unclaimed/ unclear lands to check if there are any valid legal heirs and if it is found that there are no valid legal heirs, such

lands should be taken over by the Government and be used for various welfare activities such as creating housing for the poor.

18. Nainar Balaji's financial transactions with Paramasivan for Rs 2.5 crores on behalf of Elayaraja also requires a thorough investigation as it is claimed that Rs 50 lakhs has been transferred in cash alone. The genuinity of the various documents produced by Elayaraja must also be investigated.
19. It is learnt that it is due to the political pressure and power of Nainar Nagendran's MLA position was misused for this sale agreement to take place in Radhapuram SRO violating many sections of TN Registration act and IPC. Therefore, he also must be investigated. It must be noted that Mr Nainar Nagendran is the MLA of Tirunelveli constituency and commands political power in the southern regions.
20. This is a clear case of collusion between several people – land grabbers like Elayaraja, misuse of political power of Nainar Nagendran MLA to register the sale agreement for his son Nainar Balaji at Radhapuram SRO, several public servants including sub registrars, revenue officials, district registrars who failed to audit and cancel these documents and the higher officials who have not taken criminal and disciplinary actions on such violations.
21. Therefore, we request you to
 - a. Cancel the fraudulent documents Doc No 4278 of 2022 of Radhapuram SRO, Doc No 1715 of 2021 of Murappanadu SRO, Doc No 3444 of 2021 of Vadamadurai SRO and other fraudulent registration document numbers mentioned in this complaint
 - b. Register FIR and investigate the fraudulent registrations violating various sections of TN Registration Act and IPC sections against Elayaraja, Nainar Balaji, SROs Saravana Mariappan, Menaka, Anantaraman, Prashanth Santhanakaruppan and revenue official RDO Pravocna Kumari and Mr Nainar Nagendran MLA.

- c. Also, initiate Departmental actions against all public servants involved.
- d. File FIR and Chargesheet against all officials who have been involved in violating Section 28 of the Registration act earlier including our complaints on Angayarkanni for Pallikarunai marshland, Balasubramanian for registering Trichy lands in Kanchipuram and many others.

Sincerely



Jayaram Venkatesan

Convener - Arappor Iyakkam (Ph: 9841894700)

Enclosures:

1. Annexure 1 : Certified copy of Doc No 4278/ 2022 - Pg 1 to 143
2. Annexure 2: Certified copy of Doc No 1662/ 2006 - Pg 144 to 171
3. Annexure 3: EC of Chennai land survey no 219/8B Virugambakkam village - Pg 172 to 189
4. Annexure 4: Partition deed by Gowriammal - Pg 190 to Pg 193
5. Annexure 5: Patta changed to name of Gulabdoss Narayandoss - Pg 194
6. Annexure 6: Copy of death certificate of Gulabdoss Narayandoss by Chennai Corporation - Pg 196
7. Annexure 7: Doc No 1715/2021 of Murappanadu SRO - Pg 197 to Pg 226
8. Annexure 8: EC of 1715/2021 - Pg 227 to Pg 228
9. Annexure 9: Doc No 3444/ 2021 of Vadamadurai SRO - Pg 229 to Pg 240
10. Annexure 10: : Doc No 3173/ 2021 of Vadamadurai SRO - Pg 241 to Pg 249
11. Annexure 11: Copy of Circular No 37248/C1/2021 dated 29.06.2022 - Pg 250 to Pg 257
12. Annexure 12: EC of Udaiyathur village, Radhapuram SRO property - Pg 258 to Pg 270