

**IMPACTS OF LAND REGISTRATION SYSTEM TO UPHOLD THE MARKETABLE  
VALUE OF PROPERTY  
SRI LANKAN PERSPECTIVE  
JA Darshane Jayakody**

*Faculty of Law, General Sir John Kotelawala Defence University, Kandawala Road, Ratmalana.  
<darshanejayakody@gmail.com>*

Land right with lack of title dispute is a valuable asset to uphold and determine the paramount life styles of Sri Lankan people. Land policy is directly linked to the issues of clear title of ownership and clear title would increase the commercial and financial marketable value of property for economic development .The Sri Lankan Constitution does guarantee to all citizens the freedom of residence within Sri Lankan territory relevant to (Article 14(1) (h)). The exercise of this right is subject to specified restrictions such as the requiring the clear title of ownership of land within existing legal regime. Clear title of lands is directly affected to the marketable value and possession of land. Clear title of lands can be acquired through the land registration system in this country over a long period. It can be recognized in two ways as registration of title and registration of documents.

The Registration of Document system was introduced to Sri Lanka in 1863 and it was implemented primary ownership registration procedure based on the Ordinance relating to the Registration of Deeds and Documents No.23 in 1927. Simply it can be consider as registration of Deeds of lands. The Registration of title programme implements systematic methodical title registration procedure since 2002 based on the Registration of Title Act No.21, enacted in 1998. In present situation of Sri Lankan law, both of Registration of title and Registration of Documents system is implemented throughout the country to ensure the clear title of land owners.

The objectives of this study are to critically evaluate the impacts and the influence of clear title to the marketable value of lands, through the implementation of land registration system in Sri Lanka, identify the practical difficulties in the existing system and finally to provide recommendations.

This research is basically a qualitative one but for the purpose of assessing the impact of clear title to the marketable value of lands, mixed approach is used by analyzing case studies.

The study reveals that the pragmatic analytical realistic of acquiring clear title through the Registration System in Sri Lanka. Therefore the study concludes that there will not be aroused a vulnerable entity of existence legal regime and these systems may be operated smoothly without any conflict and increased the importance of commercial and financial value of lands.

**Key words:** Registration of Title, Registration of Documents, Title of Land, Marketable Value, Tenure, Impacts, Implement