

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 17.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.7485 of 2015

A.Chinnapparaj ... Petitioner
vs.

1. The Parish Priest,
St.Antony's Church,
Koovathur Village,
Udaiyarpalayam Taluk,
Ariyalur District
 2. The Sub-Registrar,
Andimadam,
Udayarpalayam Taluk,
Ariyalur District.
- ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for a issuance of Writ of Mandamus to direct the 2nd respondent to dispose of the representation of the petitioner.

For Petitioner : Mr.V.Vasudevan
For Respondents: Mr.S.Gunasekaran
Government Advocate

ORDER

Heard Mr.V.Vasudevan, learned counsel for the petitioner and Mr.S.Gunasekaran, learned Government Advocate for the respondents. With the consent of either side, the Writ Petition itself is taken up for final disposal at the admission stage.

2. The petitioner has filed this Writ Petition praying for a direction upon the 2nd respondent to consider his representation and register the Affidavit of Revocation.

3. According to the petitioner, in virtue of compulsion by the first respondent, he executed an affidavit dated 27.08.2014 before the 2nd respondent and the same has been registered before the 2nd respondent in Book No.4 of the Register maintained by the 2nd respondent.

4.Now, the petitioner would seek for registration of revocation document to revoke the deed of affidavit dated 27.08.2014 stating

that it was under pressure, coercion and threat given by the 1st respondent, who is Parish Priest of the church. This issue cannot be decided by the 2nd respondent, since it is a civil dispute. If according to the petitioner, he did not consent to sign the affidavit, he has to establish the same before the Civil Court of competent jurisdiction and therefore, at this stage of the matter, no Writ of Mandamus as sought for, can be issued.

In the light of the above, this Writ Petition is disposed of by giving liberty to the petitioner to work out his rights in the manner known to law. No costs.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

To

1. The Parish Priest,
St. Antony's Church,
Koovathur Village,
Udaiyarpalayam Taluk,
Ariyalur District

2. The Sub-Registrar,
Andimadam,
Udayarpalayam Taluk,
Ariyalur District.

+1 cc to Government Pleader, SR.15128

+1 cc to Mr.V.Vasudevan, Advocate, SR.14917.

lrs(co)
krd 27/3

सत्यमेव जयते

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