



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:09.01.2015

CORAM:

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

W.P. (MD)No.310 of 2015

and

M.P. (MD) .No.2 of 2015

1. Geetha
2. J.Jeyaprakash
3. J.Ashokan

...Petitioners

Vs.

1. The Inspector General of Registrations
Registration Department,
100 Santhome High Road,
Pattinapakkam,
Chennai 600 028.
2. The Deputy Inspector General of Registration,
Registration Department,
Jawan Bhavan, West Velli Street,
Madurai.
3. The District Registrar,
Madurai South,
Office of the District Registrar Office,
171 Palace Road,
Madurai.
4. Jeyanthi
5. Jeyaraj

...Respondents

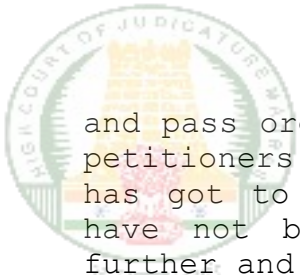
PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the respondents 1 to 3 herein more particularly the third respondent herein not to proceed with the enquiry pertaining to his proceedings No.6041/AA1/2014 dated 16.12.2014 in respect of Cancellation Deed No.4152/2014 dated 04.08.2014 in connection with Gift Deed Document No.4049/2013 dated 21.05.2013 till the disposal of the Civil Suit in O.S.No.243/2014 on the file of the learned District Munsif, Thirumangalam by considering the representation given by the third petitioner dated 29.12.2014.

For Petitioners : Mr.P.Mahendran
For R1 to R3 : Mr.N.S.Karthikeyan
Additional Govt. Pleader

O R D E R

The Writ Petition has been filed for a Mandamus directing the respondents 1 to 3 herein not to proceed with the enquiry pertaining to the proceedings No.6041/AA1/2014 dated 16.12.2014.

2. According to petitioners, earlier writ petition was filed by their sister arraying only their father as a party and also the Government. This Honourable Court has directed the authorities concerned to consider



and pass orders after giving notice to all parties concerned, whereas the petitioners have already filed a Civil Suit which is pending. Their right has got to be safeguarded as they have not been given notice and they have not been heard. Therefore, the enquiry should not be proceeded further and a fresh enquiry should be conducted.

3. The learned Additional Government Pleader for the respondents 1 to 3 points out that even as per the earlier direction of this Court, it is very clear that notice to all parties concerned as well as anybody who is interested should also appear in the enquiry and submit their representation and if they appear in person and makes representation, the same will also be considered taking into consideration regarding the pendency of the Civil Suit.

4. In view of the same, no further order is necessary except to state that the petitioners will appear before the authority concerned and submit their representation which they have already done through post and bring to the notice of the concerned authority regarding the pendency of the Civil Suit and thereafter, the authority will give sufficient opportunity to the petitioners and pass appropriate orders in accordance with law.

5. With the above direction, the writ petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1. The Inspector General of Registrations
Registration Department, 100 Santhome High Road,
Pattinapakkam, Chennai 600 028.
2. The Deputy Inspector General of Registration,
Registration Department, Jawan Bhavan,
West Velli Street, Madurai.
3. The District Registrar, Madurai South,
Office of the District Registrar Office,
171 Palace Road, Madurai.

+1CC to M/s.P.Mahendran, Advocate in SR.1074

+1CC to the Special Government Pleader in SR.1405

W.P. (MD) No.310 of 2015
09.01.2015

akv

PBK 25/02/2015 ::2P-6C: