

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.10.2016

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P.No.37276/2016

T.Thivakaran .. Petitioner

Vs.

- 1 The Sub-Registrar
Sub-Registrar Office, Guduvancheri,
Kancheepuram District, Chennai.
- 2 The Deputy Commissioner of
Police, Central Crime Branch, Land Grabbing
Special Cell, Vepery, Chennai-600 007.
- 3 The Registrar General,
100, Santhome High Road, Mylapore,
Chennai-600 004.
- 4 N.Subburaj
- 5 Mrs.Jasmine Thivakaran Nadar .. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of certiorarified mandamus Calling for records in respect to the impugned order passed by 1st respondent in Document Number 3678/2015 in respect of the Scheduled mentioned property of Vacant House Site measuring an extent of 1005 Sq.ft. comprised in Survey Nos. 2246 and 2247 situated at No.23 Vengadamanagalam Village Chengalpattu Taluk Kancheepuram District dated 19th March 2015 and quash the same and direct to the 1st respondent not to execute further sale deed till the disposal of the writ petition.

For Petitioner : Mr.S.Ezhil Raj
For RR1 to 3 : Mr.R.A.S.Senthilvel, AGP

ORDER

Heard the learned counsel for the petitioner and Mr.R.A.S.Senthilvel, learned Additional Government Pleader who accepts notice on behalf of the respondents 1 to 3 and with the consent on either side, the writ petition is taken up for final disposal.

2 The petitioner/husband challenges the order passed by the 1st respondent dated 19.03.2015, in and by which, the 5th respondent / wife of the petitioner herein, has sold the schedule mentioned property to the 4th respondent, with a prayer to quash the same and further, to direct the 1st respondent not to execute further sale deed till the disposal of the writ petition.

3 A perusal of the affidavit filed in support of this writ petition as well as the materials placed before this Court in the form of typed set of documents, it is evidently clear that there exists differences of opinion between the petitioner and his wife, the 5th respondent herein and that it is purely a civil dispute between them. It

is also evident that the petitioner had purchased the property in the name of his wife and the Sale Deed also stands in her name. It is also brought to the notice of this Court by the learned Additional Government Pleader that on the complaint preferred by the petitioner herein before the 2nd respondent, investigation was done and a report was filed by the Inspector of Police, Central Crime Branch-II, ALGSC-II, Greater Chennai, Vepery, Chennai-7, to that the effect that there is no such land grabbing or impersonation and that it is only a civil dispute between the petitioner and his wife/the 5th respondent herein due to differences of opinion between them. He has also produced a copy of the said communication of the Inspector of Police, CCB-II, ALGSC-II, Vepery, Chennai-7, dated 18.10.2016. The said communication is placed on record.

4 In view of the above, this Court is of the considered view that the writ petition is not maintainable. Accordingly, the same is dismissed. No costs.

25.10.2016

AP

B.RAJENDRAN, J.,
AP

To

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