



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition(MD)No.21087 of 2016

Thangaratham

... Petitioner

Vs.

1.The District Registrar (Administration),
Palani, Dindigul District.

2.The Sub-Registrar,
Gujiliamparai,
Dindigul District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the second respondent in his proceedings in A.Thee Mu No.262/16, dated 14.09.2016 in rejecting the registration of the document in connection with his land situated in Survey No.1483/2 measuring about 1 acre 20 cents at Pallayam Village, Dindigul District and quash the same as illegal and consequence thereof directing the second respondent to register the document in connection with the above survey number.

For Petitioner	: Mr.D.Selvaraj
For Respondents	: Mr.J.Gunaseelan Muthiah Government Advocate

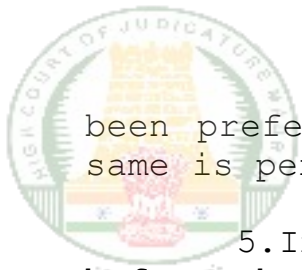
ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents.

2.By consent, the Writ Petition itself is taken up for final disposal.

3.Against the order passed by the second respondent-Sub Registrar, refusing to register the document, the petitioner has filed the present Writ Petition.

4.The learned counsel for the petitioner submitted that as against the order passed by the second respondent, an appeal has



been preferred before the first respondent on 19.09.2016 and the same is pending.

5. In the above circumstances, an appeal has been preferred before the first respondent against the order passed by the second respondent, now the petitioner cannot file the Writ Petition challenging the order passed by the second respondent. Hence, the Writ Petition is not maintainable and the same is dismissed. However, since the appeal filed by the petitioner is pending with the first respondent, the first respondent is directed to consider the appeal and pass appropriate orders on merits and in accordance with law, after giving notice to the rival claimants, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(Writ)

/True copy/

Sub Assistant Registrar

To

1. The District Registrar (Administration),
Palani, Dindigul District.

2. The Sub-Registrar,
Gujiliamparai, Dindigul District.

+1 cc to M/s.D.Selvaraj, Advocate in SR.No.65838

+1 cc to The Special Government Pleader in SR.No.65316

PS

CSL/SS-2/17.11.2016 :2P/5C

W.P(MD)No.21087 of 2016
03.11.2016