

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 30.10.2017

CORAM

THE HON'BLE Mr.JUSTICE A.SELVAM
and

THE HON'BLE Mr.JUSTICE P.KALAIYARASAN

W.P.No.7034 of 2014
and

M.P.No.2 of 2014 and M.P.No.1 of 2015

1.P.Chandra
2.V.Visalakshi
3.K.P.Sakthivel
4.R.Palanisamy
5.K.Natarajan
6.K.Sampath Kumar

.. Petitioners

Vs

1. The Inspector General of Registration
20, Santhome High Road, Chennai-28
2. The District Registrar (Admn)
Assistant Inspector General of Registration
Tiruppur, Tiruppur District
3.The Sub-Registrar
Tiruppur, Tiruppur District
4.The Superintendent of Police
Anti Land Grabbing Special Wing
District Crime Branch
Tiruppur, Tiruppur District

5.R.Jayaraj

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue Writ of Certiorari calling for the records relating to the impugned Circular No.67 dated 03.11.2011 in C.No.52338/C1/2011 on the file of the 1st respondent and the consequential order made in Na.Ka.No. 5288/A1/2013 dated 10.02.2014 on the file of the 2nd respondent and quash the same, insofar as the petitioners are concerned.

For Petitioners : Mr.N.Manokaran

For Respondents : Mr.R.Vijayakumar, AGP for R1
to R4

No appearance for R5

O R D E R
[Order of the Court was made by A.SELVAM, J.]

This Writ Petition has been filed under Article 226 of the Constitution of India praying to call for records relating to the Circular No.67 dated 03.11.2011 issued by the first respondent and also the consequential order dated 10.02.2014 passed by the second respondent in Na.Ka.No. 5288/A1/2013 by way of issuing Writ of Certiorari and quash the same.

2.The learned counsel appearing for the petitioners has contended to the effect that by virtue of Circular No.67 dated 03.11.2011, the second respondent has passed the consequential order dated 10.02.2014 and only because of the stay granted by this Court, act of cancellation has been deferred. Under the said circumstances, the consequential order is liable to be quashed and further, prosecution has been initiated independently.

3.The learned Additional Government Pleader has submitted the Circular dated 20.10.2017, issued by the Government of Tamil Nadu, wherein, it is clearly stated that Circular No.67 dated 03.11.2011 has already been withdrawn.

4.Since Circular No.67 dated 03.11.2011 has already been withdrawn, the subsequent order passed by the second respondent, in pursuance of the said circular also goes out and further, from the representation made on the side of the petitioners, the Court has easily discern that independently, a criminal proceeding has been initiated. Under the said circumstances, with regard to consequential relief, the Writ Petition is allowed in part.

In fine, the Writ Petition is allowed in part. The consequential order dated 10.02.2014 passed by the second respondent is quashed. No costs. Connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

gya

To

- 1.The Inspector General of Registration
20, Santhome High Road
Chennai-28
- 2.The District Registrar (Admn)
Assistant Inspector General of Registration
Tiruppur
Tiruppur District
- 3.The Sub-Registrar
Tiruppur
Tiruppur District
- 4.The Superintendent of Police
Anti Land Grabbing Special Wing
District Crime Branch
Tiruppur
Tiruppur District

+lcc to Mr.Manokaran, Advocate, S.R.No.76058
+lcc to the Government Pleader, S.R.No.77210

W.P.No.7034 of 2014 and
M.P.No.2 of 2014 & 1 of 2015

MG(CO)
GN(17/11/2017)



WEB COPY