

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 25.10.2017

CORAM

THE HON'BLE Mr.JUSTICE A.SELVAM

and

THE HON'BLE Mr.JUSTICE P.KALAIYARASAN

W.P.No.35408 of 2015

and M.P.No.1 of 2015

T.Manivannan

[Petitioner]

Vs

- 1 The Inspector General of Registration
Office of the Inspector General of Registration
Chennai
- 2 The District Registrar
District Registration Office
Nagapattinam District
- 3 Subbammal @ Subbuthai
- 4 Rajendiran
- 5 Ravi
- 6 Bavani
- 7 Mariyammal

[Respondents]

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari to call for the records of the 2nd respondents impugned order vide Na.Ka.No.1571/Aa1/ 2014 dated 31.7.2015 and quash the same and further directing the 2nd respondent to annul the document of partition deed vide NO.26/2013 in the light of the circular No.67 dated 3.11.2011 issued by the 1st respondent.

For Petitioner : Mr.S.Arivazhagan

For Respondents : Mr.R.Vijayakumar, AGP (R1&2)
Mr.R.Selvakumar (R3-7)

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 the records relating to the order dated 31.7.2015 passed in Na.Ka.No.1571/Aa1/ 2014 by the 2nd respondent and quash the same and also for directing the 2nd respondent to annul the document of partition deed vide No.26/2013, in the light of the Circular No.67 dated 3.11.2011.

2. Learned counsel appearing for the petitioner has contended to the effect that the 2nd respondent has passed the impugned order in Na.Ka.No.1571/Aa1/ 2014, without merits. Under the said circumstances, the 2nd respondent has to be directed to annul the document in question in view of Circular No.67 dated 03.11.2011 and under the said circumstances, the present writ petition has been filed.

3. Learned Additional Government Pleader appearing for respondents 1 & 2 has submitted a copy of Circular dated 20.10.2017, wherein, it has been specifically mentioned that Circular No.67 dated 03.11.2011 has been withdrawn by the Government of Tamil Nadu. Therefore, the Court cannot direct the 2nd respondent to annul the document in question on the basis of the Circular No.67 dated 03.11.2011.

4. The main grievance expressed on the side of the petitioner is that the document mentioned in the petition is nothing but a forged document and the 2nd respondent has not passed the impugned order on merits.

5. Learned counsel appearing for respondents 3 to 7 has represented to the effect that on the basis of the complaint given by the 2nd respondent, a FIR has been registered with regard to the allegations mentioned in the petition.

6. Considering the fact that Circular No.67 dated 03.11.2011 has already been withdrawn and considering the fact that the 2nd respondent has already lodged a complaint and a FIR has been registered with regard to the alleged forged document, this Court is of the view that the reliefs sought in the writ petition have become infructuous and therefore, the present writ petition deserves to be dismissed.

7. In fine, the writ petition is dismissed as infructuous.
No costs. Connected miscellaneous petition is closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

rg

To

1 The Inspector General of Registration
Office of the Inspector General of Registration
Chennai

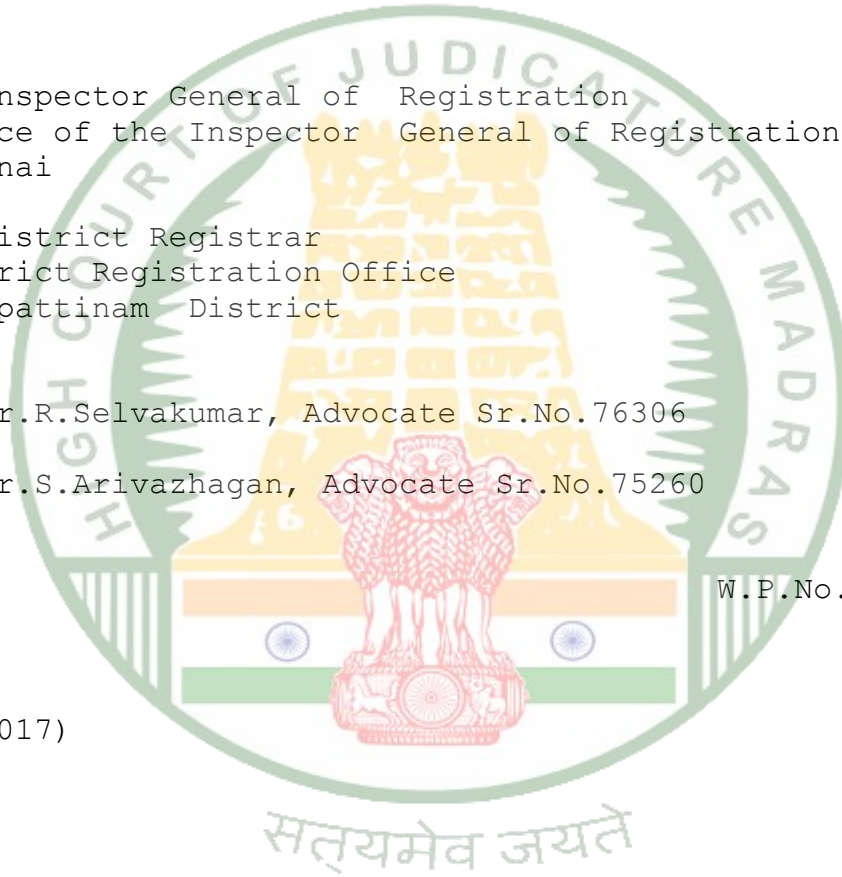
2 The District Registrar
District Registration Office
Nagapattinam District

+1 CC to Mr.R.Selvakumar, Advocate Sr.No.76306

+1 CC to Mr.S.Arivazhagan, Advocate Sr.No.75260

W.P.No.35408 of 2015

AD(CO)
KP(21.11.2017)



WEB COPY