

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.11.2017

CORAM

THE HON'BLE Mr.JUSTICE A.SELVAM
and
THE HON'BLE Mr.JUSTICE P.KALAIYARASAN

W.P.No.12889 of 2013
and M.P.No.2 of 2013

K.Rajendran

.. Petitioner

Vs

- 1.The Inspector General of Registration
Mylapore,
Chennai-4.
- 2.The District Registrar [Administration],
Chengalpet.
- 3.The Sub Registrar Office,
Sriperampudur.
- 4.Narasima Naidu

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue Writ of Certiorari to call for the records relating to the impugned Circular No.67 dated 03.11.2011 in C.No.52388/C1/2011 on the file of the 1st respondent and the subsequent order dated 08.05.2012 made in Pa.Mu.No.5942/A1/2011 passed by the 2nd respondent and quash the same.

For Petitioner :Mr.S.Ramajayam

For Respondents :Mr.R.Vijayakumar,
AGP for R1 to R3
: No appearance for R4

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 Circular No.67 dated 03.11.2011 issued by the first respondent and consequential order passed by the second respondent in Pa.Mu.No.5942/A1/2011 and quash the same, by way of issuing Writ of Certiorari.

2.The learned counsel appearing for the petitioner has contended to the effect that in respect of survey numbers mentioned in the consequential order dated 08.05.2012, a Civil Suit is pending in O.S.No.287 of 2011 on the file of the District Munsif Court, Sriperampudur and the second respondent has erroneously passed the consequential order and therefore, the present Writ Petition has been filed for getting the relief sought therein.

3.The learned Additional Government Pleader has submitted a 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by the Government of Tamil Nadu, wherein, it is clearly stated that Circular No.67 dated 03.11.2011 has already been withdrawn.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.The second respondent has passed the impugned order only on the basis of Circular No.67 dated 03.11.2011 .

5.Considering the fact that Circular No.67 dated 03.11.2011 itself has already been withdrawn by the Government of Tamil Nadu, it is needless to say that the consequential order passed by the second respondent also goes out.

6.The main gravamen expressed on the side of the petitioner is that the second respondent has passed the impugned order only on the basis of Circular No.67 dated 03.11.2011.

7.Since the Circular No.67 itself has already been withdrawn as pointed out earlier, this Court is inclined to pass the following order:

In fine, this Writ Petition is allowed in part without cost. The consequential order passed by the second respondent in Pa.Mu.No. 5942/A1/2011 is quashed. Connected Miscellaneous Petition is closed.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

gya

To

1.The Inspector General of Registration
Mylapore,
Chennai-4.

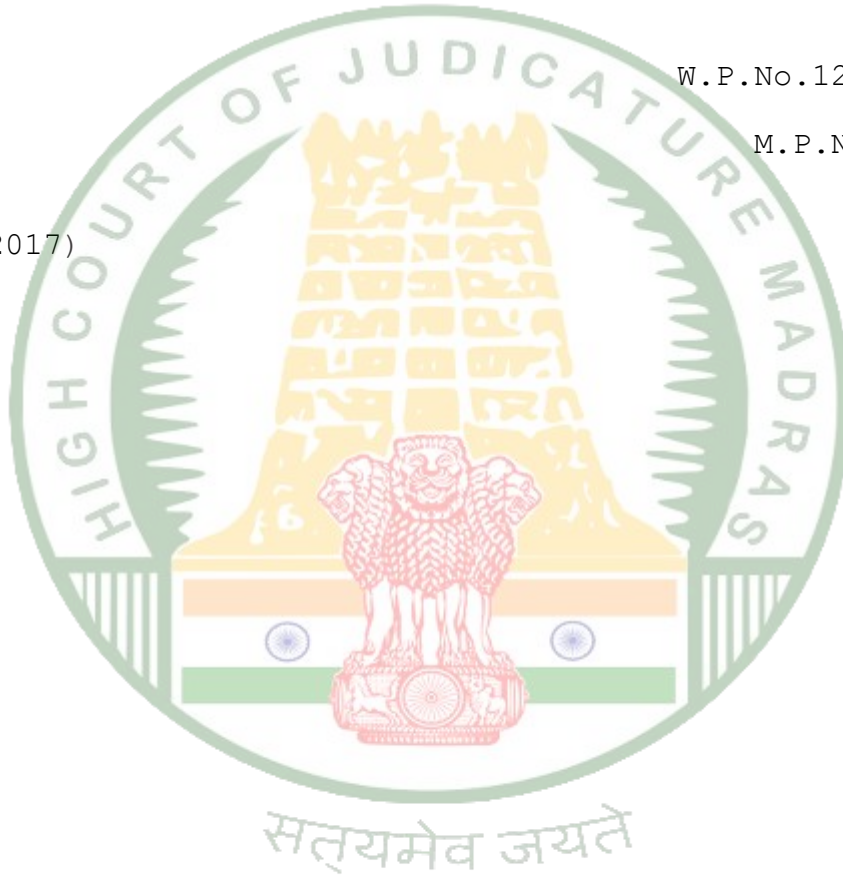
2.The District Registrar [Administration],
Chengalpet.

3.The Sub Registrar Office,
Sriperampudur.

+1 CC to Mr.S. Ramajayam, Advocate sr 78423

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and
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VGI (CO)
SP(22/11/2017)



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