

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.10.2017

CORAM

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

W.P.No.34790 of 2013
and
M.P.No.1 of 2013

N.CHELLAPERUMAAL

... PETITIONER

Vs

1.THE INSPECTOR GENERAL OF REGISTRATION
REGISTRATION DEPARTMENT
GOVERNMENT OF TAMIL NADU
NO.100 SANTHOME HIGH ROAD
CHENNAI-28.

2.THE DISTRICT REGISTRAR
CHEYYAR POST AND TALUK
THIRUVANNAMALAI DISTRICT.

3.THE SUB REGISTRAR
VANDAVASI
THIRUVANNAMALAI DISTRICT.

... RESPONDENTS

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the records of the 1st respondent culminating in his proceedings No.21192/ U1/2013 dated 27.11.2013 quash the same and direct the 1st respondent to invalidate earlier documents registered since 12.02.2004 in respect of the lands in Survey No.329/2 (Vaniar Nagar) Ponnur Village Vandavasi Taluk Tiruvannamalai District and to give positive directions to the 3rd Respondent in view of the 1st Respondent order dt. 27.11.2013 (impugned order) (prayer amended as per order dated 28.2.14 in M.P.No.1/14)

For Petitioner : Mr.V.Raghupathi

For Respondents : Mr.R.Vijayakumar,
Additional Government Pleader

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 proceedings No.21192/U1/2013 dated 27.11.2013 by the 1st respondent and quash the same and also for giving necessary direction to invalidate the earlier documents registered since 12.02.2004 in respect of the lands mentioned there to by way of issuing a writ of mandamus.

2.Learned counsel appearing for the petitioner has advanced his arguments on the basis of the averments made in the petition.

3.Learned Additional Government Pleader appearing for respondents has submitted a copy of Circular dated 20.10.2017, wherein, it is clearly stated that the Circular No.67 dated 03.11.2011 has been withdrawn by the Government of Tamil Nadu and therefore, the reliefs sought in the writ petition have become infructuous.

4.It is an admitted fact that Circular No.67 dated 03.11.2011 passed in C.No.52338/C1/2011 has been withdrawn by the Government of Tamil Nadu on 20.10.2017.

5.The main relief sought in the writ petition is to quash the proceedings dated 27.11.2013 passed by the 1st respondent on the basis of the Circular No.67 dated 03.11.2011.

6.Since Circular No.67 dated 03.11.2011 itself has already been withdrawn subsequently on 20.10.2017, the first relief sought in the writ petition can easily be granted and with regard to the second relief, the petitioner can be directed to give a separate complaint to the District Registrar. With the above observations, the writ petition is liable to be allowed in part.

7. In fine, the writ petition is allowed in part without costs. The proceedings dated 27.11.2013 passed in No.21192/U1/2013 by the 1st respondent is quashed. The petitioner is directed to give a separate complaint to the District Registrar, the 2nd respondent herein with regard to invalidation of certain documents mentioned in the petition. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

1.THE INSPECTOR GENERAL OF REGISTRATION
REGISTRATION DEPARTMENT
GOVERNMENT OF TAMIL NADU
NO.100 SANTHOME HIGH ROAD
CHENNAI-28.

2.THE DISTRICT REGISTRAR
CHEYYAR POST AND TALUK
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3.THE SUB REGISTRAR
VANDAVASI
THIRUVANNAMALAI DISTRICT.

+3cc's to Mr.V.Raghupathi, Advocate, S.R.No.75004

W.P.No.34790 of 2013

SJ(CO)
CA(10/11/2017)



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