

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 26.10.2017

CORAM

THE HONOURABLE MR.JUSTICE A.SELVAM

and

THE HONOURABLE MR.JUSTICE P.KALAIYARASAN

Writ Petition No.30855 of 2016

and WMP.No.26708 of 2016

G.Raja ... Petitioner
vs.

1.The District Registrar
Vellore District
Vellore

2.The Sub Registrar
Gudiyattam Sub Registration Office
Gudiyattam-632 602
Vellore and District

3.M.Shanmugam

4.P.Santhi ... Respondents

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus directing the respondents 1 and 2 herein to conduct an enquiry based on Circular No.67 dated 03.11.2011 to annul the registered Settlement Deed created by the respondents 3 and 4 vide Document No.4960 of 2013 dated 24.05.2013 on the file of the 2nd respondent with respect to the petitioner's property situated in D.No.72, New D.No.101, S.No.257/6, Sethukkarai Village, Gudiyattam Town, bounded by East of R.S.Road, West of Sethukkarai Mountain, North of Rangam's house, South of Chinnaraj Nayanar house measuring East to West 65 ft., North to South 22ft., and consequently direct the respondents 1 and 2 to prosecute the respondents 3 and 4 for their act of fraudulent transaction of the petitioner's said property.

For Petitioner :Mr.K.A.Ravindran

For Respondents : Mr.R.Vijayakumar,
Addl.Govt.Pleader for R1 and R2.

ORDER

(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 direct the respondents 1 and 2 to conduct an enquiry based on Circular No.67 dated 03.11.201 in respect of Settlement Deed created with regard to Survey No.257/6, Sethukkarai Village, Gudiyattam Town, by way of issuing a Writ of Mandamus.

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

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of Tamil Nadu, wherein, it is clearly mentioned to the effect that Circular No.67 dated 03.11.2011 has already been withdrawn.

4. The entire relief sought in the present Writ Petition is based upon Circular No.67 dated 03.11.2011.

5. Considering the fact that the entire relief is based upon Circular No.67 dated 03.11.2011 and the same has been subsequently withdrawn, the court is not in a position to grant the relief. However, the following order can be passed:-

In fine, this Writ Petition is dismissed without costs. However, the petitioner is directed to give a representation to the 1st respondent within a period of 15 days from the date of receipt of a copy of this order. The 1st respondent is directed to look into the same and pass necessary orders as early as possible. Consequently, connected Miscellaneous Petition is closed.

nvsri

sd/
ASSISTANT REGISTRAR

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

To

1.The District Registrar
Vellore District

Vellore

2.The Sub Registrar
Gudiyattam Sub Registration Office
Gudiyattam-632 602
Vellore and District

+1cc to M/s K.A.Ravindran, Advocate Sr.76594
+1cc to Government Pleader Sr.76341

Writ Petition No.30855 of 2016

RSI (CO)
rvr
14/12/2017



WEB COPY