



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:28.02.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

AND

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.A.[MD].No.166 of 2017

and

W.M.P. (MD) .No.1898 of 2017

1.S.J.Priya

2.J.Chokkathai

: Appellants

Vs.

1.Manjammal

2.Inspector General of Registration,
Office of the Inspector General of Registration,
4/4, 4th Trust Link Street,
Mullima Nagar, Mandavelipakkam,
Raja Annamalaipuram, Chennai 600 004.

3.The Sub-Registrar,
Sub-Registrar Office,
Rajapalayam, Virudhunagar District.

: Respondents

PRAYER: Writ Appeal is filed under Clause 15 of the Letters Patent against the order dated 08.02.2017 made in W.P.(MD).No.22221 of 2016, on the file of this Court.

Prayer in WP(MD) . 22221/ 2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus calling for the records relating to the order in Serial No.01/2016 dated 15.11.2016 of the 2nd respondent and quash the same and direct the 2nd respondent to register the gift deed dated 14.11.2016 executed by this petitioner.

For Appellant : Mr.J.Sureshkumar

For Respondent No.1 : Mr.B.Rajesh Saravanan

For Respondent Nos.2&3 : Mr.VR.Shanmuganathan
Special Government Pleader

**JUDGMENT**

[Judgment of the Court was made by **R.SUBBIAH, J.**]

WEB COPY
This Writ Appeal has been filed as against the order dated 08.02.2017 made in W.P.(MD).No.22221 of 2016, whereby and whereunder the learned Single Judge of this Court allowed the Writ Petition filed by the first respondent herein, directing the second respondent therein to register the gift deed 14.11.2016, presented by the first respondent herein and return the same to her, if there is no other legal impediment for doing so. The learned Single Judge further held that mere registering the settlement deed will not take away the rights of the appellants herein from challenging the same before the appropriate Civil Court, if they have any such legal right to do so.

2. Today, when the Writ Appeal is taken up for consideration, it is represented by the learned counsel appearing for the first respondent that after the order was passed by the learned Single Judge, on 08.02.2017, the gift deed 14.11.2016, presented by the first respondent herein, was registered and released by the third respondent herein and hence, nothing survives for adjudication in this Writ Appeal.

3. The learned counsel appearing for the appellants is not in a position to dispute the said fact.

4. In view of the above, the Writ Appeal is dismissed. However, as observed by the learned Single Judge, if the appellants have any legal right, they are at liberty to work out their remedy before the appropriate Civil Court. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar

To

1.The Inspector General of Registration,
Office of the Inspector General of Registration,
4/4, 4th Trust Link Street,
Mandavelipakkam, Chennai 600 004.



3.The Sub-Registrar,
Sub-Registrar Office,
Rajapalayam, Virudhunagar District.

+1cc to B.Rajesh Saravanan, Advocate, Sr No.11439
+1cc to Special Government Pleader, Sr No.11616

JUDGMENT MADE IN
W.A.[MD].No.166 of 2017
28.02.2017

NB
MS/SKN.RSK/14.03.2017/3P.6C