

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :10.08.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

WP.No.11083 of 2017
and WMP.No.12025 of 2017

C.V.Madhesh

...Petitioner

vs

- 1.The Inspector General of Registration
No. 100,Santhome High Road
Santhome,
Chennai-600 028.
- 2.The District Registrar(Administration)
Deputy Inspector General of Registration Cadre
Coimbatore District
Coimbatore.
- 3.The Sub Registrar
Office of the Sub Registrar
Madukkarai
Coimbatore District
- 4.Bakiyalakshmi ...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India it is prayed that this Hon'ble Court may be pleased to issue a writ, order or direction in particular issue a WRIT OF CERTIORARIIFIED MANDAMUS to call for the records relating to the impugned order passed by the 2nd respondent made in No.12540/AA1/2016 dated 13-03-2017 in respect of refusal to invoke circular 67 dated 03-11-2011 for the cancellation of the registered document after enquiry by directing the petitioner to approach the court and to quash the same consequently direct the 2nd respondent to annul the will dated 30-04-2001 registered as Document No.44 of 2001 in Book No. III, on the file of the 3rd respondent.

For Petitioner : Mr.C.Prabakaran

For Respondents: Mr.T.M.Pappiah
Special Government Pleader for R1 to R3
Mr.S.Kadarkarai for R4

O R D E R

The order impugned dated 13.03.2017 issued by the The District Registrar(Administration), Deputy Inspector General of Registration Cadre, Coimbatore District was issued based on the Circular issued by the Inspector General of Registration in Circular No.67 dated 03.11.2011.

2. The learned counsel appearing for the petitioner relying on the said circular has stated that the said circular was stayed by this Court and therefore, the order passed by the District Registrar, is liable to be scrapped. The order passed by the District Registrar was unable to be implemented.

3. However, the learned Special Government Pleader appearing on behalf of the official respondents brought to the notice of this Court that the said Circular No.67 dated 03.11.2011 had been withdrawn and revised circular has been issued in letter No.41350/U1/2017, dated 07.11.2017. Thus, it is left open to the writ petitioner to redress his grievances with reference to the revised circular now issued by the Inspector General of Registration in circular dated 07.11.2017.

4. In view of the cancellation of the old circular, no further adjudication needs to be undertaken in respect of the grounds raised in the writ petition. Accordingly, the writ petition stands closed. No costs. Consequently connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

+1cc to Mr.C.Prabakaran, Advocate, S.R.No.54981.
+1cc to Mr.S.Kadarkarai, Advocate, S.R.No.55216.
+1cc to the Government Pleader, S.R.No. 55334.

sk

To

1.The Inspector General of Registration
No. 100,Santhome High Road
Santhome,
Chennai-600 028.

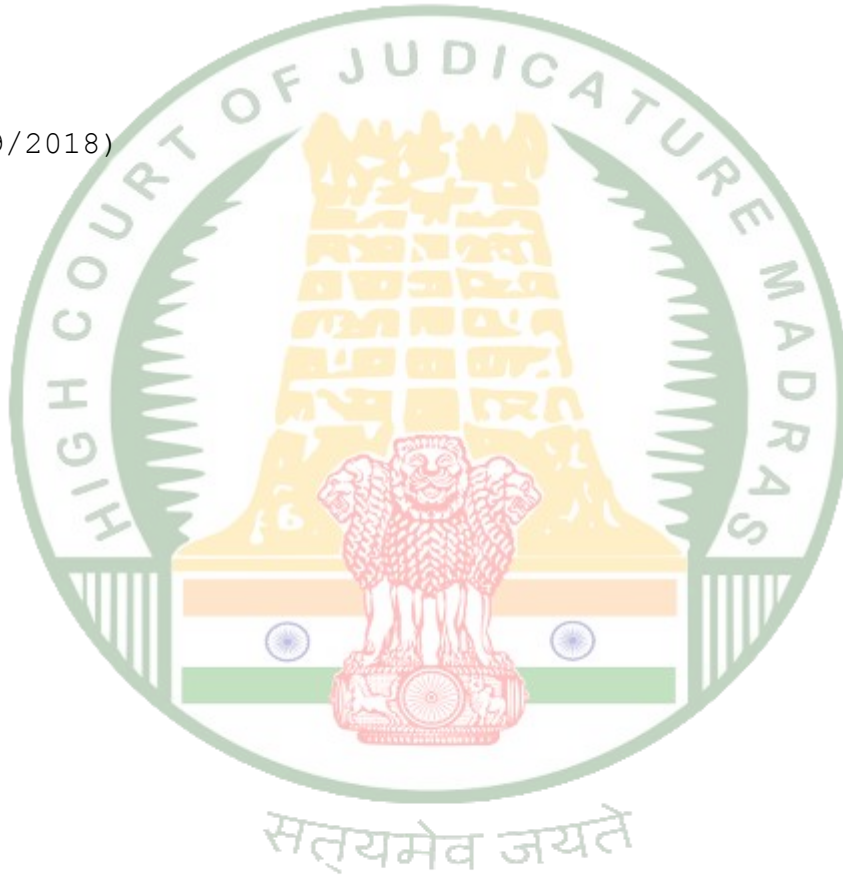
2.The District Registrar(Administration)
Deputy Inspector General of Registration Cadre
Coimbatore District
Coimbatore.

3.The Sub Registrar
Office of the Sub Registrar
Madukkarai
Coimbatore District

WP.No.11083 of 2017

CA(CO)

rrs (14/09/2018)



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