

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:18.06.2018

CORAM

THE HONOURABLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.No.29982 of 2003
and W.M.P.Nos.13950 & 11146 of 2005

G.Anbanantham

...Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by its Deputy Superintendent of Police,
Office of the Economic Offences,
Wing II, Head Quarters,
Chennai-600 002.

2.The District Registrar,
Registration Department,
No.44, Perumal Koil Street,
Pondicherry.

3.The Sub-Registrar,
Oulgaret,
Pondicherry.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorarified Mandamus calling for the records relating to the impugned communication dated 14.07.2003, which was sent by the first respondent to the respondents 2 and 3 and quash the same with a direction, directing the respondents 2 and 3 to Register the sale deeds in respect of the land comprised in S.No.3/2, 3/3, 3/4, 3/6, 3/7, 5/1, 5/2, 5/4, 13/2, 13/4, 13/7, 14/2, 14/3, 14/8 and 14/9 situated at Kalpet Revenue Village, Pondicherry.

For Petitioner: Mr.C.Vijayakumar

For Respondents: Mr.J.Kumaran
2 & 3 Government Advocate (Pondicherry)

O R D E R

This writ petition has been filed seeking for a Writ of Mandamus calling for the records relating to the impugned communication dated 14.07.2003, sent by the first respondent to the respondents 2 and 3 and quash the same with a direction, directing the respondents 2 and 3 to register the sale deeds in respect of the land comprised in S.No.3/2, 3/3,

3/4, 3/6, 3/7, 5/1, 5/2, 5/4, 13/2, 13/4, 13/7, 14/2, 14/3, 14/8 and 14/9 situated at Kalpet Revenue Village, Pondicherry.

2.Mr.C.V.Vijyakumar, learned counsel for the petitioner has filed an additional affidavit of the petitioner dated 17.06.2018, wherein it has been stated as follows:

"I state that I had filed the above Writ Petition for the issuance of Writ of Certiorarified Mandamus calling for the records relating the impugned communication dated 14.07.2003, which was sent by the 1st respondent to the respondents 2 and 3 and quash the same with a direction, directing the respondents 2 and 3 to register the sale deeds in respect of the land comprised in S.No.3/2, 3/3, 3/4, 3/6, 3/7, 5/1, 5/2, 5/4, 13/2, 13/4, 13/7, 14/2, 14/3, 14/8 and 14/9 situated at Kalpet Revenue Village, Pondicherry.

3.I state that pending above Writ Petition, myself along with 18 other similarly placed persons filed M.P.No.518 to 536 of 2006 in Crl.O.P.No.1 of 2006 before the Chief Judge of Small Causes, Chennai for raising the attachment dated 22.12.2004 over the properties mentioned in the petitions. I submit that the Hon'ble Chief Judge, Court of Small Causes after pursing the entire records had dismissed all the petitions on 30.11.2010 by stating

"2.In the above said circumstances, these petitions are filed by the petitioners who are third party to the proceedings to set aside the Order of attachment dated 22.12.2004. Therefore on the above said date the main O.P., or Criminal M.P. has not been filed and no attachment Order was passed i.e., on 22.12.2004 and therefore all these petitions are not maintainable and hence all the petitions are to be dismissed and answered this point accordingly."

4.I state that subsequent to the above Order the 2nd and 3rd respondents herein are permitting the Registration of Sale deeds in respect of the land comprised in S.No.3/2, 3/3, 3/4, 3/6, 3/7, 5/1, 5/2, 5/4, 13/2, 13/4, 13/7, 14/2, 14/3, 14/8 and 14/9 situated at Kalpet Revenue Village, Pondicherry. I submit that under the above mentioned circumstances as on today the petitioner has no grievances against respondents and as well as in respect of impugned communication dated 14.11.2003."

3.In view of the aforesaid averments made by the learned counsel for the petitioner in the affidavit, nothing survives for adjudication in this writ petition and the same is disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are also closed.

Sd/-
Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

rm
To

1.The Deputy Superintendent of Police,
State of Tamil Nadu,
Office of the Economic Offences,
Wing II, Head Quarters,
Chennai-600 002.

2.The District Registrar,
Registration Department,
No.44, Perumal Koil Street,
Pondicherry.

3.The Sub-Registrar,
Oulgaret,
Pondicherry.

+ 1 cc to Mr. C.V. Vijayakumar, Advocate Sr.37834
+ 1 cc to the Government Pleader Sr.38053

W.P.No.29982 of 2003
and W.M.P.Nos.13950 & 11146 of 2005

(CS-V)
EU(09/07/2018)

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