



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P.(MD) No.17558 of 2018

WEB COPY

Jeyalakshmi

... Petitioner

vs.

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

2. The District Registrar
Office of the District Registrar
Virudhunagar District

3. The Sub Registrar
Office of the Sub Registration, Virudhunagar

4. K.Ganesan

5.G.Kanagaraj

6.S.Palanisamy

7.Vinoth Prakash Kumar

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents 1 to 3 herein to initiate criminal prosecution against the respondents 4 to 7 herein on the basis of Section 83 Registration Act by considering my representations dated 10.04.2017 and 31.10.2017 within a stipulated time.

For Petitioner : Mr.G.Gangai Amaran

For Respondents : Mr.M.Murugan

Government Advocate for R1 to R3

ORDER

Mr.M.Murugan, learned Government Advocate, takes notice for the respondents 1 to 3. Notice to the respondents 4 to 7 is dispensed with in view of nature of the order to be passed by this Court.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. It appears from the averments made in the affidavit filed in support of the writ petition that for the same subject matter, the petitioner has already approached this Court by filing a writ petition in W.P.(MD) No.17533 of 2017, wherein the learned Judge of this Court vide order dated 31.01.2018, has given some directions in Paragraph No.5, which have been reproduced hereunder:

"5.Recording the aforesaid submissions, the third respondent is directed to expedite the enquiry and if the enquiry reveals any cognizable



offence then he has to register a case and proceed further in accordance with law. In case, the enquiry reveals only a civil dispute, then it is open to him to direct the parties to approach the Civil Court and get appropriate remedy."

WEB COPY

4. According to the petitioner, in pursuance to the above directions, no action appears to have been taken by the official respondents.

5. In case, the petitioner is aggrieved by the non-implementation of the orders passed as above, it is always open to her to seek remedy in the manner known to law and it is certainly not open to her to file another writ petition seeking the very same relief. Therefore, the writ petition is not maintainable and the same is liable to be dismissed.

6. In the result, the writ petition is dismissed. However, liberty is given to the petitioner to take appropriate steps in the manner known to law, if she is advised to do so. No costs.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar(CS-III)

To:

1. The Inspector General of Registration,
No.100, Santhome High Road,
Mylapore, Chennai-600 028.
2. The District Registrar,
Office of the District Registrar,
Virudhunagar District.
3. The Sub Registrar,
Office of the Sub Registration,
Virudhunagar.

+1CC to the Special Government Pleader SR.No. 77448

W.P.(MD) No.17558 of 2018
06.08.2018

KRK

ES/SKN/RSK/SAR 3/23.08.2018/2P/5C