



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.08.2018

CORAM

THE HON'BLE MR. JUSTICE V.PARTHIBAN

W.P.[MD].No.18814 of 2018

WEB COPY

E.M.C.Palaniappan

... Petitioner

Vs.

1. The District Registrar, (Administration)
Karaikudi Registration District,
Karaikudi, Sivagangai.

2. D.Gunasekaran,
District Registrar, (Administration)
Karaikudi Registration District,
Karaikudi, Sivagangai.

Presently working as District Registrar
Virudhunagar, Virudhunagar District.

3. The Sub-Registrar,
Sub Registrar Office,
Taluk Office Road,
Aranthangi, Pudukottai-614 016.

4.E.M.V.M.Viswanathan Chettiar

5.D.Swaminathan

6.Suseendran

7.Abdul Rahman

... Respondents

Prayer : Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Certiorari Mandamus, to call for the records relating to the impugned order passed by the second respondent in Na.Ka.No.55/B2/2018, dated 12.07.2018 in the official capacity and quash the same and directing the first respondent to decide afresh based on petitioner's representation dated 12.12.2011 and 16.02.2015, in accordance with decree of compromise and consequently cancel the sale deed executed in document No.110/2010, on the file of Sub-Registrar Office, Aranthangi and consequential relief on the subsequent transfer of the property, if any, and pass orders, within the time frame as fixed by this Court.

For Petitioner : Mr.K.K.Samy

For R-1 and R-3 : Mr.M.Murugan
Government Advocate

**ORDER**

The prayer in this writ petition is for a Writ of Certiorari Mandamus, to quash the impugned order passed by the second respondent in Na.Ka.No.55/B2/2018, dated 12.07.2018, in the official capacity and to direct the first respondent to decide afresh based on his representations dated 12.12.2011 and 16.02.2015, in accordance with decree of compromise and consequently cancel the sale deed executed in document No.110/2010, on the file of Sub-Registrar Office, Aranthangi and consequential relief on the subsequent transfer of the property.

2.From the averments, as disclosed in the affidavit, it is seen that the dispute appears to be purely civil in nature and the averments also would indicate that there are pendency of civil litigations culminating in the second appeal. Therefore adjudication of this writ petition would involve settlement of factual disputes what cannot be done before this Court in a writ jurisdiction.

3. Therefore, this Court is of the considered view that the writ petition is not maintainable and the same is, therefore, dismissed. It is open to the petitioner to work out his remedy before appropriate forum, in a manner known to law. No costs.

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar(CS-II)

To

1. The District Registrar, (Administration)
Karaikudi Registration District,
Karaikudi, Sivagangai.
2. The Sub-Registrar,
Sub Registrar Office,
Taluk Office Road,
Aranthangi, Pudukottai-614 016.

+1cc to Mr.K.K.Samy, Advocate Sr.No.80758
+1cc to Spl.Government Pleader Sr.No.81296

SJI

VB/RP/SAR2/28.09.2018/2P/5C

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