



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:05.02.2018

CORAM:

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THE HONOURABLE MR.JUSTICE **V.BHARATHIDASAN**W.P.(MD)No.22805 of 2017andW.M.P.(MD)No.19100 of 2017

Madasamy

... Petitioner

Vs.

1. Deputy Inspector General of Registration,
Registration Department, Madurai Region,
Yanamalai Othakadai, Madurai-625 023.

2. The District Registrar,
Registration Department,
Ramanathapuram,
Ramanathapuram District.

3. The Sub-Registrar,
Registration Department,
Sayalkudi, Kadaladi Taluk,
Ramanathapuram District.

4.V.S.S.Sivagnana Pandian

5.S.Chakravarthi

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, by calling for the records of the third respondent in impugned proceedings in No.21/2017 dated 08.12.2017 in response to Protest Petition and quash the same as illegal, arbitrary.

For Petitioner	: Mr.K.C.Ramalingam
For R1 to R3	: Mr.J.Padmavathi Devi Special Government Pleader
For R4 & R5	: Mr.T.S.R.Venkataramana

ORDER

This Writ Petition has been filed challenging the order passed by the third respondent refusing to accept the petitioner's request, not to register any sale deed said to have been filed by the fourth and fifth respondents.



2. According to the petitioner, he is the owner of the property in question and the patta also stood in the name of the petitioner, subsequently, the patta was transferred in the name of fourth and fifth respondents herein and the patta stands in the name of the petitioner was set aside by the District Revenue Officer, Ramanathapuram. The order of cancelling the patta of the petitioner, has been set aside by this Court in W.P.(MD)No.10472 of 2012 by an order dated 01.02.2018 and as on today, the patta stands in the name of the petitioner. That being the position, now the respondents 4 and 5 is taking steps to alienate the property. Hence, the petitioner made a representation to the third respondent.

3. On the other hand the learned counsel for the respondents 4 and 5 submitted that now he is taking steps to set aside the patta granted in favour of the petitioner before the appropriate forum and as on today, the respondents 4 and 5 are not trying to alienate the property and also submitted that the Writ Petition is not maintainable under 22(a) of the Tamil Nadu Stamp Act.

4. Hence, without going into the merits of the issues and other issues involved in this Writ Petition and considering the submission of the respondents that they are not trying to alienate the property in question as on today, this Writ Petition is closed as no further order is required in this Writ Petition. There shall be no order as to costs. Consequently, W.M.P.(MD)No.19100 of 2017 is closed.

Sd/-

Assistant Registrar(protocol)

/True copy/

Sub Assistant Registrar

To

1. Deputy Inspector General of Registration,
Registration Department,
Madurai Region,
Yanamalai Othakadai,
Madurai-625 023.
2. The District Registrar,
Registration Department,
Ramanathapuram,
Ramanathapuram District.
3. The Sub-Registrar,
Registration Department,
Kadaladi Taluk,
Ramanathapuram District.



+1cc to Mr.K.C.Ramalingam, Advocate Sr.No.46297
+1cc to Mr.T.S.R.Venkataramana, Advocate Sr.No.46205
+1cc to The Spl. Government Pleader SR.No.46569

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W.P (MD) No.22805 of 2017
05.02.2018