

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2019

CORAM

THE HON'BLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.4566 of 2019

G.Saradha

...Petitioner

Vs.

1. Inspector General of Registration
Santhome High Road,
Santhome, Chennai.
2. The District Registrar (Administration/Additional Incharge)
Chengalapattu District.
3. The Sub Registrar
Thiruporur, Chengalapattu District.
4. A.Mohammed Jameel
5. A.Hameeda Begam
6. A.Anwar Nisha
7. A.Meeran Mohideen Jamshid
8. A.Sundar
M/s. Prime Point, Infra Private Ltd.
Dharga Street, Kovalam,
Thiruporur Taluk,
Kancheepuram District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari to call for the records relating to the Impugned order passed by the 2nd respondent proceedings in NAKA No.4650/A3/2017 dated 30.04.2018 and quash the same as illegal.

For Petitioner : Mr.M.Venkadeshnan

For Respondents : Mr.M.Thamizharasan
Government Advocate for R1 to R3

O R D E R

Mr.M.Thamizharasan, learned Government Advocate takes notice for the respondents 1 to 3. Since this writ petition is being disposed of without affecting the interest of the respondents 4 to 8, notice to the said respondents is dispensed with.

2. The Petitioner is aggrieved against the order of the second respondent dated 30.04.2018, wherein and whereby, the petitioner's request for cancelling the document registered as Document No.1755/1975 was rejected. It is further seen that the petitioner has already gone before the first respondent by way of an appeal dated 07.08.2018 against the said order of the second respondent.

3. It is stated by the learned Government Advocate for the respondents 1 to 3 that the said appeal is still pending before the first respondent.

4. When that being the factual position, I do not think that the petitioner is justified in filing the present writ petition and challenging the order of the second respondent, without persuing to workout her remedy before the first respondent, where the appeal is pending.

5. Therefore, without expressing any view on the merits of the matter, this writ petition is disposed of, only with a direction to the first respondent to consider the appeal dated 07.08.2018 and pass orders on the same on merits and in accordance with law, after giving due opportunity of hearing to the petitioner, the respondents 4 to 8 and all other parties concerned. Such exercise shall be done by the first respondent within a period of eight weeks from the date of receipt of a copy of this order. No costs.

सत्यमेव जयते Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

sni/mk

To

1. Inspector General of Registration
Santhome High Road,
Santhome, Chennai.

2. The District Registrar
(Administration/Additional Incharge)
Chengalapattu District.

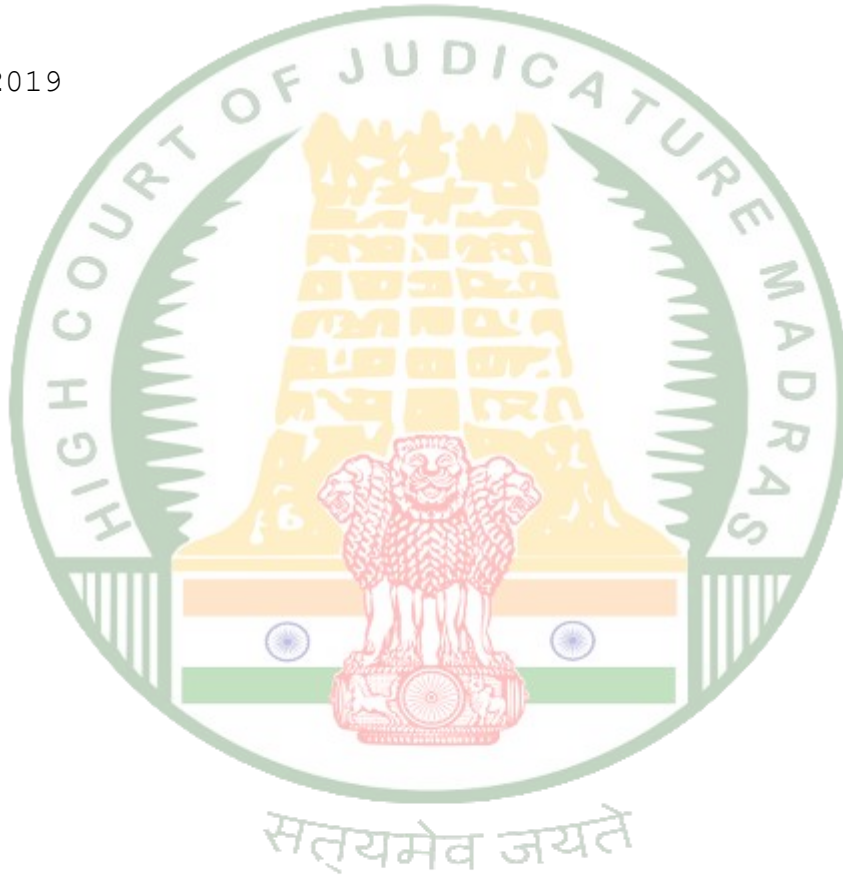
3. The Sub Registrar
Thiruporur, Chengalapattu District.

+1cc to Mr.D.Ananda Ganesh, Advocate, S.R.No.15241

+1cc to the Government Pleader, S.R.No.15112

W.P.No.4566 of 2019

RK (CO)
CS/25/03/2019



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