

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.03.2019

CORAM

THE HONOURABLE Mrs.JUSTICE PUSHPA SATHYANARAYANA

WP.No.4073 of 2016

and WMP.No.3413 of 2016

- 1.M.Mohamed Hussain (Deceased)
- 2.Asanudeen
- 3.Samsudeen
- 4.Norrdeen
- 5.Barkathunnissa

... Petitioners

(P2 to P5 are substituted as LRs. of the deceased P1 vide order dated 12.03.2019 made in W.M.P.No.2183/2018 in W.P.No.4073/2016)

Vs.

- 1.The Inspector General of Registration,
Head of Department of State Registration,
Santhome Main Road,
Santhome, Chennai.
- 2.The District Registrar,
District Registration Office at Chidambaram,
Cuddalore District.
- 3.The Sub Registrar,
Chidambaram Taluk,
Cuddalore District.
- 4.K.Selvapriya
- 5.Jayaraman
- 6.Tamilnadu Wakf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 1.

.. Respondents

(R6 suo-motu impleased as per order dated 10.02.2017 in W.M.P.No.11740/2016 in W.P.No.4073/2016)

PRAYER : Writ Petitions filed Under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records related to the impugned order of the 3rd respondent dated 16.12.2015 and to quash the same as illegal and unsustainable and further direct the 2nd and 3rd respondents to conduct enquiry with regard to documents No.1433/2015 and 1598/2015 registered in 3rd respondent office and to cancel the same.

For Petitioners : Mr.M.Muhesh

For RR1 to 3 : Mr.T.M.Pappiah
Special Government Pleader

For R5 : Mr.G.Sankaran

For R6 : Mr.V.Raghavachari

For R4 : Served - No appearance

O R D E R

The writ petition has been filed to quash the order passed by the third respondent dated 16.12.2015 and further direct the second and third respondents to conduct enquiry with regard to documents No.1433/2015 and 1598/2015 registered in third respondent office and to cancel the same.

2. Pending the writ petition, the petitioner died and his legal heirs are brought on record in this writ petition.

3. The said order is passed based on the request of the petitioner not to register any document with respect to R.S.Nos.243/1 and 243/5. The said request was rightly rejected by the third respondent stating that it is open to the petitioner to get appropriate remedy before the appropriate Civil Court. Without approaching the Civil Court, he has come by way of writ petition, which is not maintainable.

4. Accordingly, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.The Inspector General of Registration,
Head of Department of State Registration,
Santhome Main Road,
Santhome, Chennai.

2.The District Registrar,
District Registration Office at Chidambaram,
Cuddalore District.

3.The Sub Registrar,
Chidambaram Taluk,
Cuddalore District.

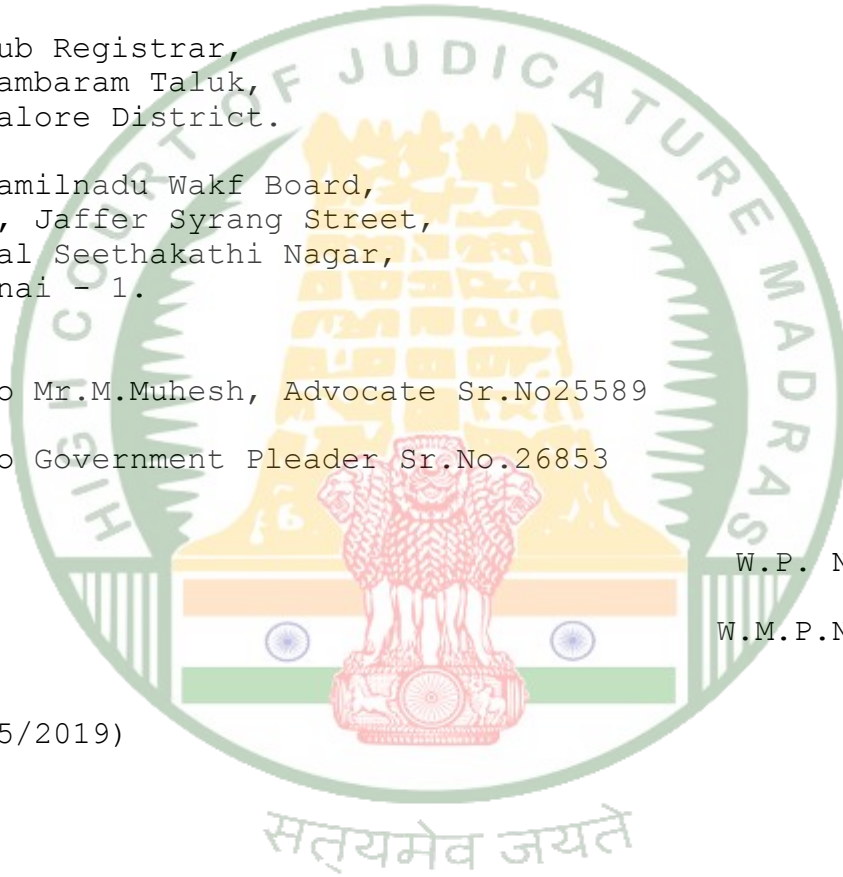
4.The Tamilnadu Wakf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 1.

+1 CC to Mr.M.Muhesh, Advocate Sr.No25589

+1 CC to Government Pleader Sr.No.26853

W.P. No.4073 of 2016
and
W.M.P.No.3413 of 2016

KK(CO)
KP(31/05/2019)



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