

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.07.2019

CORAM

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P. No. 26169 of 2018
and
W.M.P. No. 30392 of 2018

K.P. Natarajan

...Petitioner

.Vs.

1. The Inspector General of Registration
Office of the Inspector
General of Registration,
Santhome High Road, Chennai - 600 004.

2. The District Registrar
Admin-in-charge,
South Chennai,
The Cadre of Deputy Inspector
General of Registration,
Chennai - 600 015.

3. The Sub Registrar,
Kodambakkam,
Chennai - 600 024.

4. The Inspector of Police Team - II,
Economic Offence Wing,
Guindy, Chennai 600 034.

5. K. Nageswara Rao

6. K. Lakshmi Narayanan

7. M.K. Mustaffa

...Respondents

(R7 impleaded as per order dated
23/04/2019 in WMP.12337/19 in
WP.26169/18)

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the Official First and Second Respondents to consider the representation of the Petitioner dated 12.09.2018 with respect

to the property namely house, ground and premises bearing Old No.8, New No.19, Lakshmi Narayan Street, West Mambalam, Chennai 600 033 belonging to the Fifth and Sixth Respondents.

For Petitioner : Mr. A. Damodaran

For Respondents: Mr. T.M. Pappiah
(For R1 to R3)
Special Government Pleader

: Mr. R. Venkatesh (For R4)
Government Advocate

: Mr. B. Natarajan (For R5)

: Mr. R. Rajesh Kumar (For R7)

: No Appearance (For R6)

O R D E R

The Writ Petition has been filed for a direction to the First and Second Respondents to consider and pass orders on the representation dated 12.09.2018 made by the Petitioner not to register any document that may be presented by the Fifth and Sixth Respondent in respect of the property comprising of ground and house bearing Old No. 8, New No. 19, Lakshmi Narayan Street, West Mambalam, Chennai - 600 033.

2. The complaint of the Petitioner is that amounts were remaining unpaid by the Fifth and Sixth Respondent to the Petitioner in respect of chit transactions. The Seventh Respondents had purchased the property belonging to the Fifth and Sixth Respondent in public auction conducted by the mortgagee of the property, which the subject matter of the suit in O.S. No. 6936 of 2015 in the City Civil Court, Chennai, filed by the Fifth and Sixth Respondents against the Seventh Respondent.

3. Having regard to the aforesaid nature of dispute between the Petitioner and the Fifth and Sixth Respondents, when it is pointed out that the Petitioner has got an effective alternative remedy under Section 64 of the Chit Funds Act, 1982, to work out his remedy for his claims against the Fifth and Sixth Respondent under the chit transaction, Learned Counsel for the Petitioner seeks permission of this Court to withdraw the Writ Petition with liberty to resort to the same and he has made an endorsement to that effect, which is recorded.

4. Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty. Consequently, connected Miscellaneous Petition is closed. No costs.

ebsi/maya

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Inspector General of Registration
Office of the Inspector
General of Registration,
Santhome High Road, Chennai - 600 004.
2. The District Registrar
Admin-in-charge,
South Chennai,
The Cadre of Deputy Inspector
General of Registration,
Chennai - 600 015.
3. The Sub Registrar,
Kodambakkam,
Chennai - 600 024.
4. The Inspector of Police Team - II,
Economic Offence Wing,
Guindy, Chennai 600 034.

+1cc to Mr.R.Rajesh Kumar., Advocate, SR.No.62806/19
+2cc to the Govt.Pleader vide, SR.No.63351/19

W.P. No. 26169 of 2018

Kak(19/08/2019)