

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.09.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAISWAMY

W.P.No.1275 of 2015

R. Veerappan

... Petitioner

.vs.

1. The District Registrar,
Registration Department,
Government of Tamil Nadu,
Villupuram.

2. The Sub Registrar,
Registration Department,
Government of Tamil Nadu,
Valavanur, Puducherry State.

3. Tmt. Amirthavalli

4. R. Kumar

5. S. Thondhi

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuing a Writ of Mandamus directing the respondents 1 and 2 herein to consider and dispose of the petitioner's representation/petition dated 22.12.2014 and also direct the respondents to conduct an enquiry under Sections 81 to 84 of the Registration Act, 1908.

For Petitioner : Mr.T. Dhanasekaran

For Respondents : Mr .P.P. Purushothaman,

Govt. Advocate - for R1 & R2

No Appearance - for R3 to R5

O R D E R

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus, directing the respondents 1 and 2 to consider and dispose of the petitioner's representation dated 22.12.2014 and also to direct the respondents to conduct an enquiry under Sections 81 to 84 of the Registration Act, 1908.

2. The grievance of the petitioner is that the private respondents 3 and 4 are trying to execute the sale deed in favour of the 5th respondent without having any title in respect

of the property in question.

3. On a reading of the affidavit filed in support of the Writ Petition, it is clear that the petitioner has not filed any Civil Suit as against the private respondents. When the dispute is between the private parties, the remedy open to the petitioner is only to approach the appropriate Civil Court and not under Article 226 of the Constitution of India. That apart, in para 8 of the counter filed by the 1st respondent, it has been stated that the petitioner's representation dated 29.12.2014 has been disposed of by passing a proceeding on 06.01.2015 observing that the averments of the petitioner do not fall under the purview of Sections 81 to 84 of the Registration Act, 1908 and that the petitioner should seek redressal through a competent court of law.

4. Since the respondents 1 and 2 have already considered the petitioner's representation and passed orders on 06.01.2015, I am not inclined to entertain the Writ Petition. Accordingly, the Writ Petition is disposed of. However, it is open to the petitioner to work out his remedy before the competent Civil Court, in accordance with law. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The District Registrar,
Registration Department,
Government of Tamil Nadu,
Villupuram.
2. The Sub Registrar,
Registration Department,
Government of Tamil Nadu,
Valavanur, Puducherry State.

+1cc to the Government Pleader, Sr.No.29240

W.P.No.1275 of 2015

rld (co)
rr ii (28/09/2020)