

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 30.07.2020

CORAM:

THE HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.29127 of 2013

S. Gnanamurugan

... Petitioner

v.

1. The Inspector General of Registration,
No.100, Santhome High Road,
Chennai - 600 028.

2. The District Registrar,
Chennai South,
Department of Registration,
Jeenis Road, Saidapet,
Chennai - 600 015.

3. Imran Khan

4. Mrs. Rashida Khan

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to pass orders immediately in Petition No.3412/AA1/2013 pending disposal on the file of the 2nd respondent filed by the petitioner dated 28.01.2013.

For Petitioner: Mr.M.Jayapalrajan

For Respondents: Mr.P.P. Purushothaman
Govt. Advocate - for R1 & R2

Mr.P.Sidharthan - for R3 & R4

O R D E R

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus, directing the 2nd respondent to pass orders immediately in Petition dated 28.01.2013.

2. The petitioner is seeking to cancel the sale deeds executed in favour of the respondents 3 and 4 in Document Nos. 191 of 1996 and 245 of 1996, dated 18.01.1996 and 22.01.1996 respectively.

3. Mr.P.Sidharthan, learned dounsel appearing for the respondents 3 and 4 submitted that the respondents 1 and 2 have no jurisdiction to cancel the sale deeds executed in their favour, therefore, the Writ Petition is not maintainable. Further, the learned counsel submitted that the petitioner has filed a civil Suit in O.S.No.7803 of 2012 on the file of the IV Assistant Judge, City Civil Court, Chennai, to cancel the sale deeds dated 18.01.1996 and 22.01.1996, which are also subject matter of the present Writ Petition. Further, the learned counsel also submitted that the respondents 3 and 4 have also filed a Civil Suit in O.S.No.4002 of 2012, on the file of the VII Assistant Judge, City Civil Court, Chennai, to cancel the sale deeds executed in favour of the petitioner. The learned counsel submitted that both the suits are pending before the respective Trial Court.

4. Since the issue involved in the present Writ Petition is a private dispute between the petitioner and the respondents 3 and 4 and that the Civil Suis are also pending, the present Writ Petition cannot be entertained. In such view of athe matter, the Writ Petition is dismissed. However, it is open to the petitioner as well as the respondents to prosecute and contest the suits pending before the Trial Court in accordance with law. I make it clear that the Trial Court shall decide the suits in O.S.Nos. 7803 of 2012 and 4002 of 2012, on merits and in accordance with law, uninfluenced by any of the observations made in this Writ Petition. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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Rj

To

1. The Inspector General of Registration,
No.100, Santhome High Road,
Chennai - 600 028.

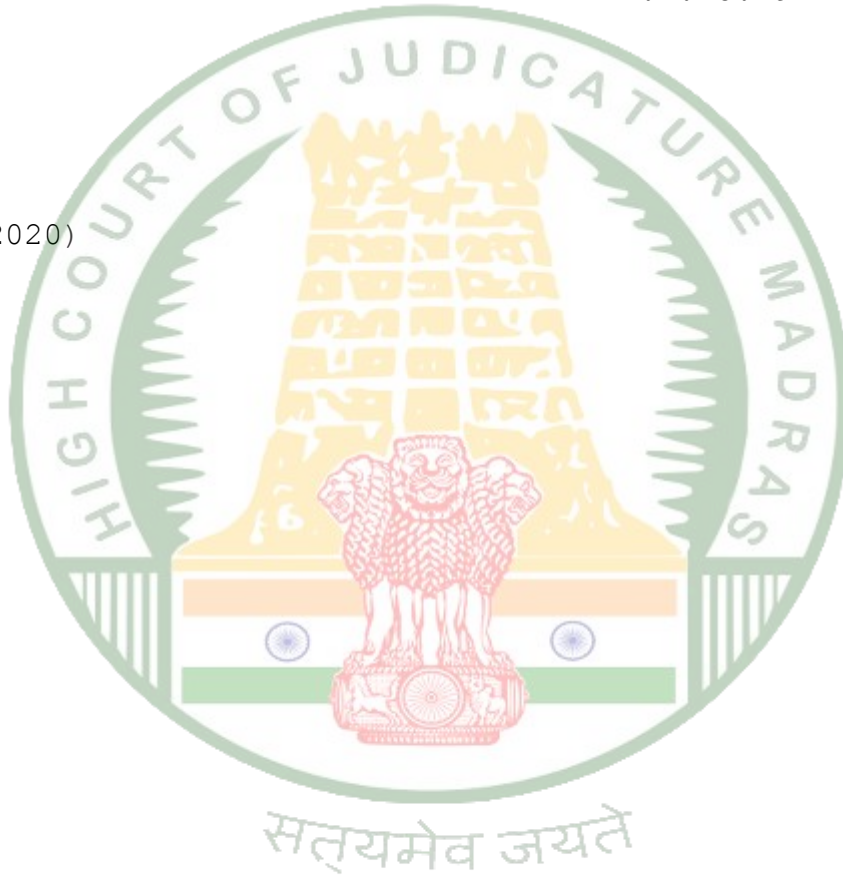
2. The District Registrar,
Chennai South,
Department of Registration,
Jeenis Road, Saidapet,
Chennai - 600 015.

+1cc to Government Pleader, Sr.No.25772

W.P.No.29127 of 2013

KJ(CO)

GS(12/08/2020)



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